



**REVISED - 6/13/16**

**CITY OF MIAMI SPRINGS, FLORIDA**

**Mayor Xavier M. Garcia**

**Vice Mayor Roslyn Buckner  
Councilman Billy Bain**

**Councilman Bob Best  
Councilman Jaime Petralanda**

*Decorum: "Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the City Council, shall be barred from further audience before the City Council by the Mayor, unless permission to continue or again address the City Council is granted by the majority vote of the City Council members present. In accordance with the foregoing, the City Council has determined that racial or ethnic slurs, personal attacks and comments unrelated to City matters or issues constitute prohibited comments from the podium."*

**CITY COUNCIL REGULAR MEETING AGENDA  
Monday, June 13, 2016 – 7:00 p.m.  
City Hall, Council Chambers, 201 Westward Drive**

- 1. Call to Order/Roll Call**
- 2. Invocation:** Mayor Garcia  
**Salute to the Flag:** Audience Participation
- 3. Awards & Presentations:**
  - A) Swearing in Ceremony for newly hired Miami Springs Police Officer Johnathan Castillo
  - B) Recognizing long-time Miami Springs resident Edward Winslow on his 92<sup>nd</sup> Birthday
- 4. Open Forum:** Persons wishing to speak on items of general city business, please sign the register located on the speaker's stand before the meeting begins.
- 5. Approval of Council Minutes:**
  - A) May 23, 2016 – Regular Meeting
- 6. Reports from Boards & Commissions:**
  - A) Board of Adjustment – Approval of Actions Taken at their Meeting of June 6, 2016 Subject to the 10-day Appeal Period
- 7. Public Hearings:** None.
- 8. Consent Agenda: (Funded and/or Budgeted):**
  - A) Approval of the City Attorney's Invoice for May 2016 in the Amount of \$12,474.00
  - B) Recommendation by Golf that Council approve an increase to the City's current open Purchase Order with Acushnet, in an amount not to exceed \$6,000.00, for Titleist and Foot Joy merchandise to be re-sold in the golf pro shop as funds were budgeted in the FY 15/16 Budget pursuant to Section 31.11 (E)(6)(g) of the City Code

**9. Old Business:**

- A) Appointments to Advisory Boards by the Mayor and Council Members
- B) Recommendation by the City Planner regarding preparation time required for Council requested Floor Area Ratio (F.A.R.) presentation

**10. New Business:**

A) Ordinance – First Reading – An Ordinance Of The City Council Of The City Of Miami Springs Amending Code Of Ordinance Section 150-164, Northwest 36th Street District; By Deleting The Existing Code Subsection (17) Related To Signs And Enacting A New Code Subsection (17) Which Directs All Signage Inquiries To The City Code Signage Section 150-030; Repealing All Ordinances Or Parts Of Ordinances In Conflict; Effective Date

B) Ordinance – First Reading – An Ordinance Of The City Council Of The City Of Miami Springs Amending Code Of Ordinance Section 150-030, Sign Regulations; By Including A Definition Of Monument Sign; Deleting The Figure 3 Illustration For Sign Area For Ground Sign Sizes; Adding Pole Signs To The List Of Prohibited Signs; Updating The Zoning Districts Applicable To Section (G) Of The Ordinance; Deleting The Block Of Descriptive References To Ground Signs; Adding New Sign Regulations For The Northwest 36th Street And Abraham Tract Zoning Districts; Repealing All Ordinances Or Parts Of Ordinances In Conflict; Effective Date

C) Resolution – A Resolution Of The City Council Of The City Of Miami Springs Amending The Current Schedule Of Charges For The Use Of City Recreation Facilities And Related Services; Effective Date

D) Approval of Development Order - A Resolution Of The City Council Of The City Of Miami Springs Enacting A Development Order For The Approval Of A Project At 665 Mokena Drive To Construct A 69,538 Square Foot Eight Story Hotel On 32,130 Square Foot (0.737 Acre) Parcel Of Land, Which Includes A Variance From Section 150-16 (E) To Waive Six Of The Required 70 Parking Spaces And Granting A Variance From Section 150-106 (A)(9) To Waive The Requirement That Parking Spaces Have A Minimum Separation Of 12 Inches From Any Structure, As Proposed On Property Legally Described In Exhibit "A" Attached Hereto; Limitation To Secure Permit; Effective Date

E) Approval of Development Order - A Resolution Of The City Council Of The City Of Miami Springs Enacting A Development Order For The Approval Of A Project At 4949 NW 36 Street To Construct A 90,080 Square Foot Eleven Story Hotel On Two Parcels Of Land Totaling 49,132 Square Foot (1.13 Acres) As Proposed On Property Legally Described In Exhibit "A" Attached Hereto; Limitation To Secure Permit; Effective Date

F) Discussion of revised request for abandonment of La Villa Drive and vacation of alley between Minola and La Villa Drive adjacent to N.W. 36<sup>th</sup> Street

i) Resolution – A Resolution Of The City Council Of The City Of Miami Springs Vacating That Certain Alley Located Between Lavilla Drive And Minola Drive In The Middle Of Block 133 From N.W. 36th Street In A Northerly Direction To The Existing City Barricades; Providing For The Equal Division Of The Alley Area; Directions To The City Clerk; Effective Date

ii) Resolution – A Resolution Of The City Council Of The City Of Miami Springs Abandoning That Certain Portion Of Lavilla Drive Located Between N.W. 36th Street And The City Barricades In The Approximate Middle Of Lavilla Drive From Northwest 36th Street In A Northerly Direction To The Existing City Barricades; Providing For The Equal Division Of Lavilla Drive Area; Directions To The City Clerk; Effective Date

ITEM PULLED

G) Authorization to execute a five-year agreement between the City and Springs on the Green for the utilization of the small parking lot area located adjacent to 627 Eldron Drive

H) Recommendation by Public Works that Council authorize the issuance and/or execution of a contract to Wrangler Construction, Inc., utilizing Miami Dade County contract # RPQ # 20140183 (attached), in an amount not to exceed \$15,400.00, for sidewalks repairs at various locations throughout the city, pursuant to Section §31.11 (E)(5) of the City Code

I) Recommendation by Finance that Council award City RFP # 02-15/16 to Knight Property Management Service, Inc., the lowest responsible bidder and authorize the execution of a contract, in the amount of \$48,750.00, for annual Professional tree trimming, removal and disposal service- citywide as funds are to be budgeted in the FY16/17 Budget pursuant to Section §31.11 (E)(1) of the City Code

J) Recommendation by Golf that Council award a contract to George Fulmer Construction Co., Inc., the lowest quote obtained, in the amount of \$17,220.00, for renovations and repairs to both of the existing East (Front nine) and West (Back nine) Golf Course restrooms as these funds were approved in the General Fund Balance Designations #4 for projected FY15/16 Budget pursuant to Section §31.11 (E)(5) of the City Code

K) Recommendation by Golf that Council award a contract to Kimmons Construction, the lowest quote obtained, in the amount of \$8,470.00, for roof repairs to both of the existing East (Front nine) and West (Back nine) Golf Course restrooms as these funds were approved in the General Fund Balance Designations #4 for projected FY15/16 Budget pursuant to Section §31.11 (E)(5) of the City Code

L) Request by Councilman Petralanda to allow audio/video pre-recording of public comments/open forum

M) Discussion on request from Miami Springs Middle School regarding the designation of East Drive to Eagle Way

N) Request by Vice Mayor Buckner to discuss changing the Council Meetings to second and fourth Tuesday of the month

O) Discussion for Special Event Filming on the Circle from Telemundo


P) Consideration of the Board of Parks and Parkways Recommendations for nominating the Yard of the Month Awards for August and September 2016

**11. Other Business:** None

## 12. Reports & Recommendations:

- A) City Attorney
- B) City Manager
- C) City Council

## 13. Adjourn

Please visit [www.miamisprings-fl.gov](http://www.miamisprings-fl.gov) for current meeting schedule or follow us on  Twitter @MIAMISPRINGSFL

\*\*\*\*\*  
Live streaming video of this meeting is available at <http://www.miamisprings-fl.gov/webcast>.  
\*\*\*\*\*

Anyone wishing to obtain a copy of an agenda item may contact the City Clerk at (305) 805-5006, download the complete agenda packet from [www.miamisprings-fl.gov](http://www.miamisprings-fl.gov) or view the materials at City Hall during regular business hours.

\*\*\*\*\*  
Pursuant to Florida Statute 286.0114, the City Council provides the public with a reasonable opportunity to be heard on all matters.  
\*\*\*\*\*

If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. 286.0105), all of which the City does not provide.

\*\*\*\*\*  
In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: (305) 805-5006, no later than seven (7) days prior to the proceeding.  
\*\*\*\*\*

Pursuant to Sec. 2-11.1 (S) of the Miami-Dade County Code and Miami Springs Code of Ordinances Chapter 33 - §33-20, all persons, firms or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the City Council; (2) any action, decision, recommendation of any City Board or Committee; or (3) any action, decision or recommendation of City personnel during the time period of the entire decision-making process on such action, decision or recommendation which will be heard or reviewed by the City Council, or a City Board or Committee shall register with the City before engaging in any lobbying activities on forms prepared for this purpose and shall state under oath his or her name, business address, the name and business address of each person or entity which has employed said registrant to lobby, and the specific issue on which he or she has been employed to lobby. A copy of the lobbyist registration form is available from the Office of the City Clerk.  
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## ***City of Miami Springs, Florida***

### **City Council Meeting**

Regular Meeting Minutes

Monday, May 23, 2016 7:00 p.m.

Council Chambers at City Hall

201 Westward Drive, Miami Springs, Florida

- 1. Call to Order/Roll Call:** The meeting was called to order by the Mayor at 7:05 p.m.

Present were the following:

Mayor Xavier M. Garcia  
Vice Mayor Roslyn Buckner  
Councilman Bob Best (Absent)  
Councilman Billy Bain  
Councilman Jaime A. Petralanda

Assistant City Manager/Finance Director William Alonso  
City Attorney Jan K. Seiden  
City Clerk Erika Gonzalez-Santamaria  
Chief Armando Guzman  
City Planner Chris Heid  
Recreation Director Omar Luna  
Public Works Director Tom Nash

- 2. Invocation:** Offered by Councilman Bain

**Salute to the Flag:** Students from All Angels lead the audience in the Pledge of Allegiance and Salute to the Flag

- 3. Awards & Presentations:**

A) Recognizing Wrestling Coach Dave Ryan of Miami Springs Senior High for 33 Years of Service to the school

**Mayor Garcia recognized Coach Ryan by proclaiming a day in honor of his service. Representative Bryan Avila also recognized Coach Ryan with a certificate of recognition for his years of service at Miami Springs Senior High School.**

B) Recognizing long-time Miami Springs resident Joe Buonassi on his 90th Birthday

**Mayor Garcia presented Mr. Buonassi with a certificate of recognition and a box of chocolates in celebration of his 90<sup>th</sup> birthday.**

C) Yard of the Month for June 2016 – Jan Badura – 589 Deer Run

**Mr. Badura was not present to receive his award for the Yard of the Month.**

D) Presentation on the First Tee Program by Paul O'Dell

**This item was pulled from the agenda.**

**4. Open Forum:** The following members of the public addressed the City Council: Kathie Marquez, 401 Hunting Lodge Drive.

**5. Approval of Council Minutes:**

A) May 9, 2016 – Regular Meeting

**Councilman Petralanda moved to approve the minutes. Councilman Bain seconded the motion, which carried 4-0 on roll call vote. The vote was as follows: Vice Mayor Buckner, Councilman Bain, Councilman Petralanda and Mayor Garcia voting Yes.**

**6. Reports from Boards & Commissions:** None at this time.

**7. Public Hearings:** None at this time.

**8. Consent Agenda: (Funded and/or Budgeted)**

A) Recommendation by Public Works that Council approve an increase to the City's current open Purchase Order #160507 with Waterfront Property Services d/b/a Gator Dredging, in an amount not to exceed \$71,557.85, for North Esplanade Canal Bank restoration which exceeds the originally budgeted amount of \$224,857.50. Funds have been provided by the State of Florida, Department of Environmental Protection, Division of Water Restoration Assistant Grant on a cost reimbursement basis pursuant to Section 31.11 (E)(6)(g) of the City Code

B) Recommendation by Public Works that Council authorize the issuance of a Purchase Order to Distreebutors, Inc., utilizing Miami-Dade County contract #1298-1/21 (attached), in an amount not to exceed \$7,590.00, for the purchase, delivery and installation of various trees throughout the City as funds were budgeted in the FY 15/16 Budget pursuant to Section 31.11(E)(5) of the City Code

**The Assistant City Manager/Finance Director William Alonoso read the items by title for the record.**

**Councilman Petralanda moved to approve the Consent Agenda. Vice Mayor Buckner seconded the motion, which carried 4-0 on roll call vote. The vote was as follows:**

**Vice Mayor Buckner, Councilman Bain, Councilman Petralanda and Mayor Garcia voting Yes.**

**9. Old Business:**

A) Appointments/Re-appointments to Advisory Boards by the Mayor and Council Members

**No appointments were made at this time.**

B) Recommendation by Administration to schedule a Council Workshop or Special Meeting to discuss the potential Floor Area Ratio (F.A.R.) revision process

**The Council requested that the City Planner plan a presentation that includes visuals and common questions and answers so that the Council and the public are well informed on the recommendation for the Floor Area Ratio process. It was the general consensus of the City Council that the City Planner provides a proposed date by next Council meeting on June 13<sup>th</sup> as to when the presentation and discussion of the FAR will be ready.**

**10. New Business:**

A) Recommendation by the Police Department that Council waive the competitive bid process and approve an expenditure to C.R. DeLongchamp, in the amount of \$19,584.00, for building rental as these funds qualify for expenditure from the Police Law Enforcement Trust Fund, pursuant to Section 31.11(E)(6)(g) of the City Code and pursuant to the contract renewal option provided by the City's existing contract/contract vendor for an additional twelve-month period

**Councilman Bain moved to approve the recommendation. Vice Mayor Buckner seconded the motion, which carried 4-0 on roll call vote. The vote was as follows: Vice Mayor Buckner, Councilman Bain, Councilman Petralanda and Mayor Garcia voting Yes.**

B) Recommendation by Finance that Council award City RFP # 01-15/16 to HG Construction Development & Investment, Inc., the lowest responsible bidder and authorize the execution of a contract, in the amount of \$589,788.00, for Retrofitting Sidewalks for ADA Compliance as funds will come from the State of Florida Department of Transportation LAP agreement previously approved by Council on February 8th, 2016

**Councilman Bain moved to approve the recommendation. Councilman Petralanda seconded the motion, which carried 4-0 on roll call vote. The vote was as follows: Vice Mayor Buckner, Councilman Bain, Councilman Petralanda and Mayor Garcia voting Yes.**

C) Approval of a Resolution re-confirming the City's intention to seek annexation and requesting Miami-Dade County to consider the City's previously filed request and

application documentation for annexation

**Councilman Bain moved to approve the Resolution. Councilman Petralanda seconded the motion, which carried 4-0 on roll call vote. The vote was as follows: Vice Mayor Buckner, Councilman Bain, Councilman Petralanda and Mayor Garcia voting Yes.**

D) Request that Council approve a Site Plan for the construction of a 69,538 sq. ft., 120-room hotel, located at 665 Mokena Drive

**Councilman Bain moved to approve the Site Plan. Vice Mayor Buckner seconded the motion, which carried 4-0 on roll call vote. The vote was as follows: Vice Mayor Buckner, Councilman Bain, Councilman Petralanda and Mayor Garcia voting Yes.**

E) Request that Council approve a Site Plan for the construction of a 90,080 sq. ft., 149-room hotel, located at 4949 N.W. 36th Street

**Vice Mayor Buckner moved to approve the Site Plan. Councilman Petralanda seconded the motion, which carried 4-0 on roll call vote. The vote was as follows: Vice Mayor Buckner, Councilman Bain, Councilman Petralanda and Mayor Garcia voting Yes.**

F) Discussion of revised request for abandonment of La Villa Drive and vacation of alley between Minola and La Villa Drive adjacent to N.W. 36th Street

**City Attorney Jan Seiden addressed the item and explained the revised request from the applicant. Santiago Echemendia, 200 S. Biscayne Boulevard, addressed the Council. Jose Fuentes, 121 Alhambra Plaza, addressed the Council.**

**Mayor Garcia opened the item for public comment and the following addressed the Council: Martin Marquez, 401 Hunting Lodge Drive and John Sonder, address exempt from the record as per F.S. 119.701(4).**

**Vice Mayor Buckner moved to table the item to the June 13<sup>th</sup> Council Meeting. Councilman Petralanda seconded the motion, which carried 4-0 on roll call vote. The vote was as follows: Vice Mayor Buckner, Councilman Bain, Councilman Petralanda and Mayor Garcia voting Yes.**

**11. Other Business:** None at this time.

**12. Reports & Recommendations:**

A) City Attorney

City Attorney Seiden had no report at this time.



B) City Manager

Assistant City Manager/Finance Director Alonso stated that there would be a blood drive May 24<sup>th</sup> at City Hall on Park Street. He also reminded Council that the Memorial Day event will be at 10:00 a.m. at the War Memorial on Curtiss Parkway.

C) City Council

Councilman Petralanda had no report at this time.

Vice Mayor Buckner requested that the resolution for the recreation fees come back to Council for consideration to include handicap fees.

Councilman Bain requested that the plaque for the Prince Field Tot Lot Playground be placed on the next agenda so that the plaque may include the recognition of the "Let's Build It" team that originally constructed the playground twenty years ago. He also recognized Miami Springs Senior High School students All-Dade County Little League Baseball players Dillon Carter, Chris Rodriguez and Manny Angel Rodriguez and Emily Santos who plays softball. He congratulated Francesca Bain who graduated with a Bachelor's degree in Forensic Science.

Mayor Garcia thanked all of Council for attending the tot lot ribbon cutting. He also reminded the public that the Pelican Playhouse will have a gala night event with a special production on June 2<sup>nd</sup> at the Rebeca Sosa Theater. He recognized Catelynn a resident of Miami Springs as Most Valuable Player from Doral Academy for making All Dade Soccer. He also congratulated his daughter Alexa Garcia was given a Rookie of the Year award for playing all levels of soccer. He thanked Council for their insight and the positive exchange during the meeting. He encouraged the Council to maintain an open mind and to continue their good work.

**13. Adjourn**

There being no further business to be discussed the meeting was adjourned at 8:45 p.m.

*Respectfully submitted:*

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*Erika Gonzalez-Santamaria, MMC  
City Clerk*

*Adopted by the City Council on  
This 13<sup>th</sup> day of June, 2016.*

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*Zavier M. Garcia, Mayor*

PURSUANT TO FLORIDA STATUTES 286.0105, THE CITY HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE CITY FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.





## ***City of Miami Springs, Florida***

The **Board of Adjustment** met in Regular Session at 6:30 p.m., on Monday, June 6, 2016 in the Council Chambers at City Hall.

### **1) Call to Order/Roll Call**

The meeting was called to order at 6:30 p.m.

The following were present:

- Chairman Manuel Pérez-Vichot
- Vice Chair Ernie Aloma
- Bob Calvert
- Juan Molina
- Martin L. Marquez
- Alejandro Gonzalez

Also present:

- Councilwoman Roslyn Buckner
- City Attorney Jan K. Seiden
- Zoning and Planning Director Chris Heid
- Board Secretary Juan D. Garcia

Chair Pérez-Vichot welcomed new Board member Martin Marquez to the Board. Chair Pérez-Vichot then instructed Board Secretary Garcia to send former Board member Bill Tallman a note of gratitude for his compassion and years of service to the City of Miami Springs Board of Adjustment/ Zoning and Planning Board.

### **2) Approval of Minutes**

The minutes for the April 4, 2016 meeting were approved as written.

**Board member Molina moved to approve the minutes as written. Vice Chair Aloma seconded the motion, which passed unanimously 4-0 on voice vote.**

### **3) Swearing In of All Witnesses and Zoning and Planning Director:**

Board Secretary Garcia swore in the Zoning and Planning Director, the applicants or representatives of the applicants who would testify should the Board have any questions.

**4) New Business:**

- A) Case # 04-V-16  
SANDRA VITTERI AND FABIAN MALDONADO  
914 IBIS AVENUE  
Zoning: R-1B, RESIDENTIAL SINGLE FAMILY  
Lot Size: 9,448 SQ. FT**

The applicant is seeking a variance from Section 150-042 (E)(1) in order to construct an addition to an existing single family home that would continue the existing non-conforming side yard setback of the residence.

Zoning and Planning Director Heid read his recommendation to the Board. While reading the recommendation, Zoning and Planning Director Heid noted that the plans did not show a roof on the addition that is being requested. He asked the applicant if this would be reroofed, and if so, for the plans to reflect that before it is brought to Council.

The applicant, Sandra Vitteri of 914 Ibis, responded that the room will be reroofed and that the plans would be revised to show the roof.

Zoning and Planning Director Heid also added that due to the addition that is being requested, the house would need to have an additional parking space added for a third car. This is a condition that will be added to the recommendation.

Board member Marquez asked if the parking space that is being added needed to be paved or if it could be made from other materials. Zoning and Planning Director Heid responded that in this case he would require for it to be pavement so that it is consistent to the parking spaces that are existing.

**Board member Molina moved to approve the variance requested with the six conditions listed in the Zoning and Planning Director's recommendation. Board member Calvert seconded the motion, which passed unanimously 5-0 on voice vote.**

City Attorney Seiden advised the applicant of the 10 day appeal period.

- B) Case # 05-V-16  
AQ GROUP, LLC  
650 DE SOTO DRIVE  
Zoning: NW36, NW 36<sup>TH</sup> STREET DISTRICT  
Lot Size: 102,352 SQ. FT**

Chair Pérez-Vichot abstained from any discussion or voting (attached is Form 8B Memorandum of Voting Conflict). Vice Chair Aloma served as Chairman at this time.

The applicant is requesting a variances in ordered to construct an 80,170 square foot, five story hotel with 122 rooms on an existing surface parking lot at 650 De Soto Drive, in the NW 36 Street Zoning District.

Variances requested are as follows:

1. Requests variance from Section 150-016 (E)(6), Parking, to waive 19 of the 121 required vehicular parking spaces. (Provision of 102 parking spaces proposed).
2. Requests variance from Section 150-176, Off Street Parking Appendix, to waive one (1) foot of the minimum required aisle width of 23 feet. (Aisle width of 22 feet proposed).
3. Requests variance from Section 150-164 (E)(1), Height Limitations, to exceed by one (1) story, the maximum permitted four (4) stories. (A five story building proposed).

Before reading his recommendation, Zoning and Planning Director Heid reminded the Board member that this was a project that was previously recommended favorably by the Board of Adjustment and approved by the City Council. He added that the applicant had one year to obtain a building permit, however prior the expiration of that one year period the applicants came in for a six month extension, which was also approved by the Board and City Council. The applicants are in front of the Board again in order to be reapproved. Zoning and Planning Director Heid also noted that the one year period that is given to applicants to obtain a building permit is extremely short and is something he hopes to discuss changing with the City Council, as well as the Board.

Zoning and Planning Director Heid read his recommendation to the Board.

Discussion ensued as to why to the applicant had to appear in front of the Board for a project that was already approved. Vice Chair Aloma asked if the applicants were to submit an affidavit stating that the variance request that is being submitted is exactly the same as what was requested previously, could the Board vote to approve the variance again. City Attorney Seiden explained that the language of the code states that after the six month extension expires the variance that was granted then becomes null and void.

Board member Molina asked the applicant if the requested variances were the same as the variances that were granted by the Board and approved by Council.

The applicant, Domingo Ansereo of AQ Group, LLC responded that they request is the same as the variances that were previously granted.

Zoning and Planning Director wanted to make it clear that the Board was voting on an entirely new approval, granting the applicant and additional year with the opportunity to request a six-month extension.

Vice Chair Aloma asked if there were any comments from the audience or any Board member. There were no comments at this time.

**Board member Molina moved to approve the variances with the four conditions that were listed in the Zoning and Planning Director's recommendation. Board member Calvert seconded the motion, which passed 4-1 on voice vote. The vote was as follows: Board member Calvert, Board member Molina, Board Alternate Gonzalez and Vice Chair Aloma voting Yes; Board member Marquez voting No.**

City Attorney Seiden advised the applicant of the 10 day appeal period. He added that this item will be brought before council for their review.

5) **Old Business:** None.

6) **Adjournment**

There was no further business to be discussed and the meeting was adjourned at 6:52 p.m.

Respectfully submitted:

\_\_\_\_\_  
Juan D. Garcia  
Board Secretary

Adopted by the Board on  
this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Manny Perez-Vichot, Chair

Words ~~stricken through~~ have been deleted. Underscored words represent changes.  
All other words remain unchanged.

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*“The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council”.*

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The City of Miami Springs  
Summary of Monthly Attorney Invoice  
Orshan, Lithman, Seiden, Ramos, Hatton & Huesmann, LLP

June 9 for May

<u>General Fund Departments</u>	<u>Cost</u>	<u>Hours</u>
Office of the City Clerk	3,280.50	24.30
Human Resources Department	838.35	6.21
Risk Management	74.25	0.55
Finance Department	1,124.55	8.33
Professional Services		0.00
Building,Zoning & Code Enforcement Department	1,026.00	7.60
Planning	398.25	2.95
Police Department	256.50	1.90
Public Works Department	398.25	2.95
Recreation Department	178.20	1.32
IT Department		0.00
Golf	135.00	1.00
Senior		0.00
General - Administrative Work	4,764.15	35.29
<b>Sub-total - General Fund</b>	<u>\$12,474.00</u>	<u>92.40</u>
 <u>Special Revenue, Trust &amp; Agency Funds</u>		
Golf Course Operations		0.00
L.E.T.F.		0.00
Due from Pension Funds		<u>0.00</u>
<b>Sub-total - Special Funds</b>	\$0.00	0.00
 <b>GRAND TOTAL: ALL FUNDS</b>	 \$12,474.00	 92.40



# AGENDA MEMORANDUM

**Meeting Date:** 6/13/2016

**To:** The Honorable Mayor Xavier Garcia and Members of the City Council

**Via:** Ron Gorland, City Manager

**From:** Paul O'Dell, Golf and Country Club Director

**Subject:** Acushnet

## RECOMMENDATION

Recommendation by Golf that Council approve an increase to the City's current open purchase order with Acushnet, in an amount not to exceed \$6,000, for Titleist and Foot Joy merchandise to be re-sold in the golf pro shop as funds were budgeted in the FY15/16 Budget pursuant to Section §31.11 (E)(6)(g) of the City Code.

**DISCUSSION:** Acushnet owns the rights to Titleist and Foot Joy Brand. We purchase their merchandise through a discounted program and re-sale them at market price.

**Submission Date and Time:** 6/2/2016 1:09 PM

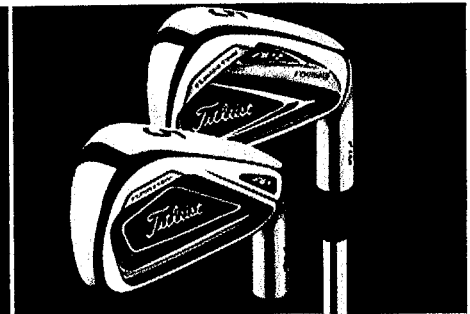
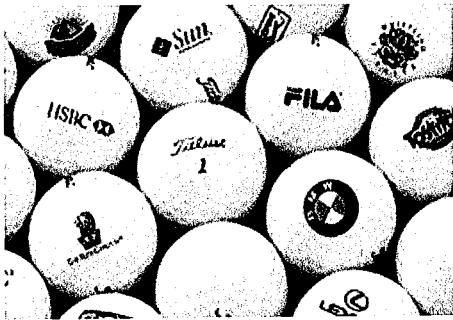
<b><u>Submitted by:</u></b>	<b><u>Approved by (sign as applicable):</u></b>	<b><u>Funding:</u></b>
Department: <u>Golf</u>	Dept. Head: <u>Paul O'Dell</u>	Dept./ Desc.: <u>Golf Course Operations</u>
Prepared by: <u>Laurie Bland</u>	Procurement: <u>[Signature]</u>	Account No.: <u>001-5707-572-5205</u>
Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Asst. City Mgr.: <u>[Signature]</u>	Additional Funding: <u>N/A</u>
Budgeted/ Funded: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Manager: <u>[Signature]</u>	Amount previously approved: \$ <u>41,000.00</u>
		Current request: \$ <u>6,000.00</u>
		Total vendor amount: \$ <u>47,000.00</u>



## CONTACT US

Acushnet Company 333 Bridge Street  
Fairhaven, MA 02719 (800)225-8500  
→ [Directions to Headquarters](#)

## ACUSHNET COMPANY



## ABOUT US

**Acushnet Company** is steadfastly focused on one mission and purpose: to steward and perpetuate two of the game's most revered and iconic golf brands, Titleist and FootJoy.

The Titleist golf ball embodies product performance and quality excellence and is the unequivocal #1 ball in golf, as it has been for more than 66 years and counting.

Titleist golf clubs have also earned broad acceptance with tour professionals, club professionals and competitive amateurs worldwide through an unwavering commitment to performance, quality excellence and fitting.

Superior performance and quality, product innovation, technological advancements and performance validation at every level of the game result in the global recognition of Titleist as Golf's Symbol of Excellence.

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CITY OF MIAMI SPRINGS  
OFFICE OF THE CITY CLERK  
201 Westward Drive  
Miami Springs, FL 33166-5259  
Phone: 305.805.5006  
Fax: 305.805.5028

TO: Honorable Mayor Garcia and Members of the City Council

FROM: Erika Gonzalez-Santamaria, City Clerk

DATE: May 5, 2016

SUBJECT: PENDING BOARD APPOINTMENTS

\*\*\*\*\*

The following appointments are pending:

APPOINTMENT COUNCILMEMBER	CURRENT MEMBER	NEW TERM EXPIRES	ORIGINAL APPOINTMENT DATE	LAST APPOINTMENT DATE
<b><u>Board of Adjustment/Zoning and Planning Board</u></b>				
Mayor Xavier Garcia	Juan Molina	04-30-2018	01-29-2015	11-09-2015
Councilman Best	Bob Calvert	04-30-2018	01-28-2013	11-09-2015
Bain Vice Mayor	Ernie Aloma	04-30-2019	04-13-2009	01-11-2011
Councilwoman Buckner	Martin Marquez	04-30-2019	01-11-2010	05-14-2012
Councilman Petralanda	Manuel Pérez-Vichot	04-30-2017	12-14-1998	11-09-2015
Mayor Garcia	Alejandro Gonzalez	10-31-2018	12-03-2015	12-03-2015
<b><u>Architectural Review Board</u></b>				
Mayor Xavier Garcia	Marc Scavuzzo*	10-31-2016	08-27-2012	11-09-2015
Councilman Best	Valentine Soler	10-31-2016	01-14-2013	11-09-2015
Vice Mayor Bain	Joe Valencia*	10-31-2016	02-27-2012	11-09-2015
Councilwoman Buckner	Fredy Albiza*	10-31-2016	08-27-2012	11-09-2015
Councilman Petralanda	Ana Paula Ibarra*	10-31-2016	10-10-2011	11-09-2015
<b><u>Code Enforcement Board</u></b>				
Mayor Xavier Garcia	Jorge Filgueira*	11-30-2017	08-27-2012	11-09-2015
Mayor Xavier Garcia	Walter Dworak	09-30-2016	11-14-2005	09-14-2010
Councilman Best	Marlene B. Jiménez	09-30-2018	03-02-2005	11-09-2015
Vice Mayor Bain	John Bankston	09-30-2017	09-23-2002	11-09-2015
Councilman Bain	Rhonda Calvert	09-30-2017	09-25-2006	11-09-2015
Councilwoman Buckner	Jacqueline Martinez Regueira	09-30-2018	06-09-2003	11-09-2015
Councilman Petralanda	Robert (Bob) Williams	09-30-2016	03-10-2008	10-25-2010
<b><u>Code Review Board</u></b>				
Mayor Xavier Garcia	VACANT	04-30-2018		
Councilman Best	Maria (Nuñez) Garrett	04-30-2017	05-08-2009	11-09-2015
Vice Mayor Bain	Arthur Freyre	04-30-2017	05-19-2009	05-09-2011
Councilwoman Buckner	Maria Fernandez	04-30-2019	08-11-2003	05-24-2010
Councilman Petralanda	Jana Armstrong	04-30-2019	06-11-2001	05-10-2010
<b><u>Disability Advisory Board</u></b>				
Mayor Xavier Garcia	VACANT	12-31-2016		
Councilman Best	Catherine Stadnik	12-31-2016	12-14-1998	02-14-2011
Vice Mayor Bain	Grace Bain	12-31-2016	01-13-2014	01-13-2014
Councilwoman Buckner	Richard Barnes	12-31-2016	05-11-2009	01-24-2011
Councilman Petralanda	Thomas W. Cannon	12-31-2016		

**Ecology Board**

Mayor Xavier Garcia	Wendy Anderson Booher*	04-30-2018	01-12-2009	11-09-2015
Councilman Best	Trina Aguila	04-30-2018	10-28-2013	11-09-2015
Vice Mayor Bain	Carl Malek*	04-30-2017	11-22-2010	05-09-2011
Councilwoman Buckner	James Steele	04-30-2019	09-09-2013	09-09-2013
Councilman Petralanda	Michael Kobiakov	04-30-2019	08-12-2013	08-12-2013

**Education Advisory Board**

Mayor Xavier Garcia	Alyssa C. Roelans	05-31-2017	02-17-2015	11-09-2015
Councilman Best	Constantino Hernandez	05-31-2017	04-27-2015	11-09-2015
Vice Mayor Bain	Dr. Mara Zapata*	05-31-2017	06-13-2011	11-09-2015
Councilwoman Buckner	Ilia Molina	05-31-2017	02-05-2015	11-09-2015
Councilman Petralanda	Dan Bradley	05-31-2017	05-13-2013	11-09-2015

**Golf and Country Club Advisory Board**

Mayor Xavier Garcia	Michael Domínguez*	07-31-2017	04-12-2010	11-09-2015
Councilman Best	Mark Safreed	07-31-2017	08-08-2005	11-09-2015
Vice Mayor Bain	George Heider	07-31-2017	08-13-2001	11-09-2015
Councilwoman Buckner	Ken Amendola*	07-31-2017	10-10-2011	11-09-2015
Councilman Petralanda	Art Rabade	07-31-2017	03-11-2013	11-09-2015

**Historic Preservation Board**

Mayor Xavier Garcia	Sydney Garton	01-31-2019	11-08-1993	02-08-2010
Councilman Best	Charles M. Hill	02-28-2018	03-08-2004	11-09-2015
Vice Mayor Bain	Yvonne Shonberger	02-28-2017	06-13-2005	09-10-2012
Councilwoman Buckner	Dr. James Watson	02-28-2018	06-09-2014	11-09-2015
Councilman Petralanda	Jo Ellen Phillips	01-31-2019	2-14-2013	08-26-2013

**Board of Parks & Parkways**

Mayor Xavier Garcia	Eric Richey	04-30-2018	02-13-1989	11-09-2015
Councilman Best	Tammy K. Johnston	04-30-2018	04-27-2006	11-09-2015
Vice Mayor Bain	Lynne V. Brooks*	04-30-2018	08-08-2011	11-09-2015
Councilwoman Buckner	Irene Priess	04-30-2017	08-13-2001	04-25-2011
Councilman Petralanda	Lee Fisher	04-30-2017	03-23-2015	03-23-2015

**Recreation Commission**

Mayor Xavier Garcia	E. Jorge Santin	04-30-2019	04-14-2008	12-13-2010
Councilman Best	Mark A. Johnston	04-30-2018	04-22-2013	04-22-2013
Vice Mayor Bain	Dr. Stephanie Kondy	04-30-2017	06-13-2005	09-10-2012
Councilwoman Buckner	Miguel Becerra	04-30-2017	09-09-2015	09-09-2015
Councilman Petralanda	Alexander Anthony	04-30-2019	08-12-2013	08-12-2013

**\* Architectural Review Board**

Ecology Board - Council confirmation required per §32.40

Education Advisory Board - Council confirmation required per §32.99 (A)

Board of Parks and Parkways – Council confirmation required per §32.30

“No Board/Commission member who shall have served three consecutive terms of office shall be eligible to serve an additional term of office for two years thereafter, unless the appointment for any additional term shall be confirmed by a majority of the City Council.”



# AGENDA MEMORANDUM

**Meeting Date:** 6/13/2016

**To:** The Honorable Mayor Xavier Garcia and Members of the City Council

**Via:** Ron Gorland, City Manager *Ron*

**From:** Chris Heid, Planner

**Subject:** Discussion on Floor Area Ratio (FAR) Presentation Date

**Discussion/Analysis:** Discuss date for a presentation of a potential increase to the Floor Area Ratio (FAR) in the Central Business District (CBD) and the Neighborhood Business District (NMB). Based on FAR discussion comments to date by Council members and staff, it is estimated that it will take approximately two months to become fully prepared to make the Council requested FAR presentation. The date, venue, and type of meeting (regular Council meeting, special Council meeting or workshop) is to be determined by Council.

**Fiscal Impact (If applicable):** Increase in taxes paid to the City if redevelopment occurs.

**Submission Date and Time:** 6/9/2016 3:26 PM

<u>Submitted by:</u>	<u>Approved by (sign as applicable):</u>	<u>Funding:</u>
Department: <u>Planning</u>	Dept. Head: <u><i>[Signature]</i></u>	Dept./ Desc.: _____
Prepared by: <u>Chris Heid</u>	Procurement: _____	Account No.: _____
Attachments: <u>No</u>	Asst. City Mgr.: _____	Additional Funding: _____
	City Manager: <u><i>[Signature]</i></u>	Amount previously approved: \$ _____
	Attorney: _____	Current request: \$ _____
		Total vendor amount: \$ _____

**ORDINANCE NO. – 2016**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-164, NORTHWEST 36<sup>TH</sup> STREET DISTRICT; BY DELETING THE EXISTING CODE SUBSECTION (17) RELATED TO SIGNS AND ENACTING A NEW CODE SUBSECTION (17) WHICH DIRECTS ALL SIGNAGE INQUIRIES TO THE CITY CODE SIGNAGE SECTION 150-030; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE**

**WHEREAS**, with the enactment of the new commercial zoning districts of the City, the City Planner has experienced confusion and questions of applicability related to the permitted signage in the various districts; and,

**WHEREAS**, the City Planner has suggested that all signage provisions be contained in a singular code section and not within multiple sections of the City Code; and,

**WHEREAS**, the City Planner has further recommended replacement of the current sign regulation Subsection (17) in the Northwest 36<sup>th</sup> Street District with a more appropriate and compatible regulation in Code Section 150-030; and,

**WHEREAS**, the City Planner feels that the change of location in the Code for “Signs” and the newly proposed sign regulations are both proper and appropriate; and,

**WHEREAS**, the City Council has considered the proposals and recommendations of the City Planner and determined that they are in the best interests of the City and its citizens;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS:**

**Section 1.** That Code of Ordinance Section 150-064 (17), Northwest 36<sup>th</sup> Street District, Signs, is hereby amended as follows:

Section 150-064. Northwest 36<sup>th</sup> Street District

~~(17) Signs. Signs shall meet all the requirements specified in § 150-030, and shall be incorporated into proposed plan. The following additional requirements shall apply:~~

~~(a) — One sign structure, not exceeding 30 feet in height above grade and not more than one third of the height of the building, and having not more than two sign surface areas, may be erected along principal street frontage from which there is a major entrance to the development.~~

- ~~(b) — Each sign surface shall be limited to 30 square feet for each acre or portion thereof, of land occupied by the development.~~
- ~~(c) — Signs may contain only the name of the establishment and facilities within the development.~~
- ~~(d) — Monument signs larger than 20 square feet in area shall incorporate landscaping design around the base of the sign.~~
- ~~(e) — Decorative wooden or metallic poles are required. For individual establishments, identification signs are allowed, but shall not exceed ten percent of the wall surface area.~~
- ~~(f) — Detached signs shall not be allowed, except for parking, vehicular and pedestrian directional signs so long as these signs shall not have a width, length or diameter exceeding five feet.~~
- ~~(g) — Artificial lighting may be used to illuminate the premises and shall be directed away from any adjacent residential area and traffic flow.~~
- ~~(h) — Standard "U-channel" or solid metal poles are prohibited.~~
- ~~(i) — No signs shall face the residential district.~~
- ~~(j) — No billboards shall be allowed.~~

(17) Signs. Sign Regulations for this zoning district are contained within Code of Ordinance Section 150-030.

**Section 2: Repeal of Conflicting Provisions.** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

**Section 3: Effective Date.** That this Ordinance shall take effect immediately upon adoption.

**PASSED ON FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2016, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

**PASSED AND ADOPTED ON SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2016, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Vice Mayor Buckner	_____
Councilman Best	_____
Councilman Bain	_____
Councilman Petralanda	_____
Mayor Garcia	_____

\_\_\_\_\_  
Zavier M. Garcia, Mayor

**ATTEST:**

Erika Gonzalez-Santamaria, MMC, City Clerk

**APPROVED AS TO LEGALITY AND FORM:**

Jan K. Seiden, City Attorney

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.

**ORDINANCE NO. – 2016**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-030, SIGN REGULATIONS; BY INCLUDING A DEFINITION OF MONUMENT SIGN; DELETING THE FIGURE 3 ILLUSTRATION FOR SIGN AREA FOR GROUND SIGN SIZES; ADDING POLE SIGNS TO THE LIST OF PROHIBITED SIGNS; UPDATING THE ZONING DISTRICTS APPLICABLE TO SECTION (G) OF THE ORDINANCE; DELETING THE BLOCK OF DESCRIPTIVE REFERENCES TO GROUND SIGNS; ADDING NEW SIGN REGULATIONS FOR THE NORTHWEST 36<sup>TH</sup> STREET AND ABRAHAM TRACT ZONING DISTRICTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE**

**WHEREAS**, the City Planner has reviewed the City Sign Code and suggested certain additions and deletions to Code Section 150-030; and,

**WHEREAS**, the main concerns relate to the sign regulations applicable to the Northwest 36<sup>th</sup> Street and Abraham Tract Zoning Districts; and,

**WHEREAS**, the City Planner also believes that all signage regulations should be contained in a singular Code Section and not in multiple locations within the Code; and,

**WHEREAS**, the proposed sign code deletions and additions are intended to provide a more appropriate signage format for the impacted Zoning Districts; and,

**WHEREAS**, the City Council has reviewed the proposed Code amendments and determined that they are proper and appropriate and in the best interests of the City and its citizens;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS:**

**Section 1.** That Code of Ordinance Section 150-030, Sign Regulations, is hereby amended as follows:

Section 150-030. Sign Regulations

(A).....

(B) Definitions. For the purpose of this Section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

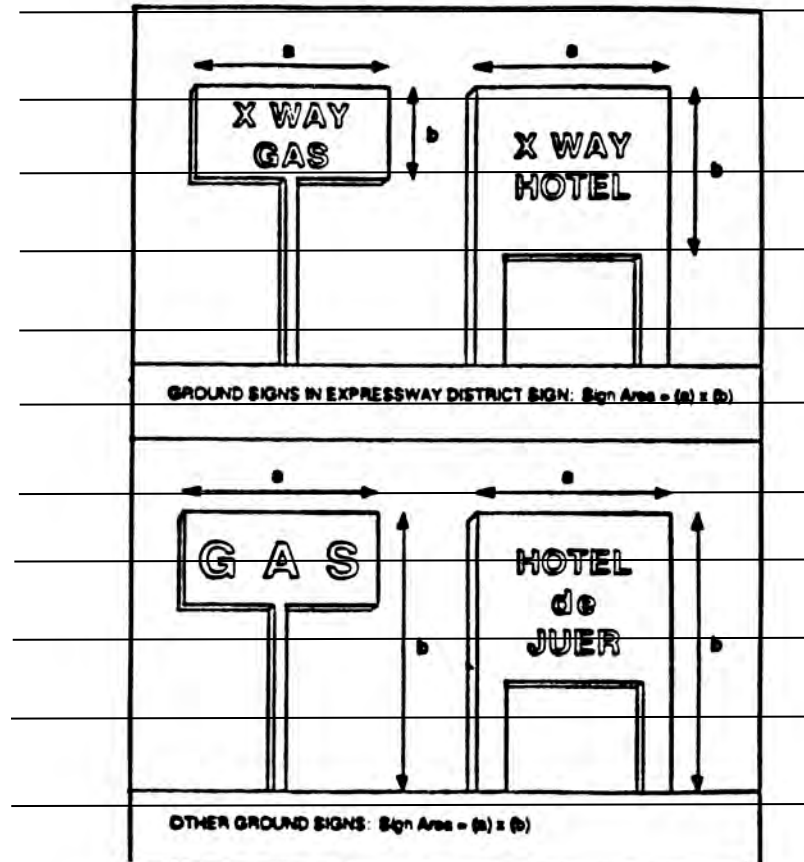
*Model Sign.....*



Monument sign: A freestanding sign supported by a continuous foundation or structural base under all or substantially all of the sign.

(All remaining definitions through "Zoning Lot" are unchanged and should remain in Ordinance)

Figure 3: Sign Area for Ground Size



(C) Prohibited Signs. The following signs are prohibited anywhere in the City:

- (1).....
- (2).....
- (3).....
- (4).....
- (5) Pole Signs
- (5) (6).....
- (6) (7).....
- (7) (8).....
- (8) (9).....
- (9) (10).....
- (10) (11).....
- (11) (12).....
- (12) (13).....
- (13) (14).....

(D).....

(E).....

(F).....

(G) Signs in the ~~B-3~~ Northwest 36<sup>th</sup> Street and Abraham Tract Zoning Districts.  
The following signs shall be permitted in the ~~B-3~~ district Northwest 36<sup>th</sup> Street and Abraham Tract Zoning Districts.

Ground sign:		
•	Number maximum	2 sign faces per zoning lot
•	Setback minimum—	5 feet from right-of-way
•	Height maximum—	20 feet
•	Area maximum per sign face _____	120 square feet
•	Items of information maximum	40

(1) Each zone lot having a street frontage of one hundred (100) feet or more shall be permitted a freestanding sign in accordance with the standards set forth in this Section.

A second freestanding sign shall be allowed on lots containing two hundred (200) feet of street frontage on a single street and/or 100,000 square foot of gross floor area, provided that the second sign shall not exceed the maximum parameters of the next lowest category for which the property is eligible in accordance with Section 150-030 (B)(10) below, and provided further that the signs shall be separated by a minimum distance of twenty five feet.

(2) *Freestanding Signs:* Freestanding signs, other than incidental signs and other signs expressly permitted by other provisions of this ordinance, are permitted in accordance with the following provisions and are otherwise prohibited:

(a) *Minimum frontage:* A freestanding sign shall be permitted only on a property with at least one hundred (100) feet of street frontage on a single street.

(b) *Minimum setbacks:* Freestanding sign shall not be located (leading edge) less than seven (7) feet from any public right-of-way line, five (5) feet from any adjacent property line, or twenty-five (25) feet from any public right-of-way intersection.

(c) *Corner lots:* A freestanding sign on a corner property shall be permitted only along the main street.

(d) *Building size:* Subject to the provisions of paragraph (6) of this section, a freestanding sign shall be permitted only on a

property with a nonresidential building of at least one thousand (1,000) square feet.

(e) *Landscaping:* The sign shall be located in a landscaped area and one hundred (100) square feet of additional landscaping in accordance with a landscape plan approved by the City Manager or designee, in addition to the other applicable landscaping requirements, which shall be required as a condition of erecting and maintaining a freestanding sign. The landscaped area shall be enclosed with a continuous poured concrete curb (Miami-Dade County "Type D").

(f) *Materials:* Freestanding signs shall be constructed of the same or aesthetically comparable materials and products of which the principal building finish on the same property is constructed.

(g) *Sign Base.* The sign base shall be of concrete construction, and shall have a minimum width of 75% of the sign face width.

(h) A double-faced freestanding sign shall have a maximum distance of three (3) feet between the sides and an internal angle not to exceed thirty (30) degrees.

(i) No sign face shall face a single family residential zoning district.

(j) *Dimensions:* The dimensions of freestanding signs permitted under this section shall not exceed the following:

<u>Building Gross Floor Area (Sq. Ft.)</u>	<u>Total Sign Height (Feet)</u>	<u>Area per Sign Side (Sq. Ft.)</u>	<u>Total Face Area (Sq. Ft.)</u>
<u>1,000 ± 10,000</u>	<u>6</u>	<u>25</u>	<u>50</u>
<u>10,000 ± 25,000</u>	<u>8</u>	<u>49</u>	<u>98</u>
<u>25,000 ± 50,000</u>	<u>12</u>	<u>64</u>	<u>128</u>
<u>50,000 ± 100,000</u>	<u>16</u>	<u>81</u>	<u>162</u>
<u>100,000+</u>	<u>18</u>	<u>100</u>	<u>200</u>

(All other sign descriptions remain unchanged  
in Subsection (G) of the existing Ordinance)

(H).....

(I).....

(J).....

(K).....

(L).....

(M).....

**Section 2: Repeal of Conflicting Provisions.** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

**Section 3: Effective Date.** That this Ordinance shall take effect immediately upon adoption.

**PASSED ON FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2016, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

**PASSED AND ADOPTED ON SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_ 2016, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Vice Mayor Buckner	_____
Councilman Best	_____
Councilman Bain	_____
Councilman Petralanda	_____
Mayor Garcia	_____

\_\_\_\_\_  
Zavier M. Garcia, Mayor

**ATTEST:**

\_\_\_\_\_  
Erika Gonzalez-Santamaria, MMC, City Clerk

**APPROVED AS TO LEGALITY AND FORM:**

\_\_\_\_\_  
Jan K. Seiden, City Attorney

Words ~~-stricken through-~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.



# AGENDA MEMORANDUM

**Meeting Date:** 6/13/2016

**To:** The Honorable Mayor Xavier Garcia and Members of the City Council

**Via:** Ron Gorland, City Manager

**From:** Omar L. Luna, Recreation Director

**Subject:** Discussion to Adding Disabled/Military Rate to Recreation Rate Resolution

At the May 23, 2016 meeting, Councilwoman Buckner made a recommendation to provide our Disabled patrons with the same rates offered to our seniors per our RESOLUTION NO. 2016 – 3671. This recommended change has been included in the attached resolution.

Ron Gorland, City Manager also made a recommendation that we provide our current Military Members and Military Veterans with the same rate as our seniors per our RESOLUTION NO. 2016 – 3671. That recommendation has also been included in the attached resolution.

**Submission Date and Time:** 6/9/2016 9:10 AM

<u>Submitted by:</u>	<u>Approved by (sign as applicable):</u>	<u>Funding:</u>
Department: <u>Recreation</u>	Dept. Head: <u>[Signature]</u>	Dept./ Desc.: <u>N/A</u>
Prepared by: <u>Omar Luna</u>	Procurement: <u>[Signature]</u>	Account No.: <u>N/A</u>
Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Asst. City Mgr.: <u>[Signature]</u>	Additional Funding: <u>N/A</u>
Budgeted/Funded <input type="checkbox"/> Yes <input type="checkbox"/> No	City Manager: <u>[Signature]</u>	Amount previously approved: \$ <u>N/A</u>
		Current request: \$ <u>N/A</u>
		Total vendor amount: \$ <u>N/A</u>

**RESOLUTION NO. 2016 –**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF MIAMI SPRINGS AMENDING THE CURRENT  
SCHEDULE OF CHARGES FOR THE USE OF CITY  
RECREATION FACILITIES AND RELATED SERVICES;  
EFFECTIVE DATE**

**WHEREAS**, Ordinance 655-81 was passed on September 14, 1981, authorizing and directing the establishment and maintenance of a "Schedule of Charges" for the use of City recreation facilities and related services, and;

**WHEREAS**, Ordinance 655-81, as currently codified in the Code of Ordinance Section 95.03, further authorized and directed the adoption of a current "Schedule of Charges" from time to time by City Council Resolution; and,

**WHEREAS**, the most current "Recreation Department Schedules of Charges" was established on May 9, 2016 by the adoption of City Resolution No. 2016-3671; and,

**WHEREAS**, the City Council of the City of Miami Springs is desirous of amending the City's current "Recreation Department Schedule of Charges" as authorized by Code of Ordinance Section 95.03;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

Section 1: That the attached "Recreation Department Schedule of Charges" (Exhibit "A") is hereby approved and adopted for the use of City Recreation facilities and related services.

Section 2: That the provisions of this Resolution shall become effective immediately upon adoption by the City Council.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2016, on a motion by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Vice Mayor Buckner	_____
Councilman Bain	_____
Councilman Best	_____
Councilman Petralanda	_____
Mayor Garcia	_____

---

Zavier M. Garcia, Mayor

**ATTEST:**

---

Erika Gonzalez-Santamaria, MMC, City Clerk

**APPROVED AS TO LEGALITY AND FORM:**

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Jan K. Seiden, City Attorney

**EXHIBIT "A"**  
**CITY OF MIAMI SPRINGS**  
**RECREATION DEPARTMENT**  
**SCHEDULE OF CHARGES**  
**EFFECTIVE JUNE 13, 2016**  
**(includes applicable taxes)**

**1. FITNESS ROOM MEMBERSHIP/YEARLY**

Adult – 18 & older	\$150.00
Youth – 13 to 17	\$150.00
<b>Seniors/Disabled/Veterans</b> (60 & over)	\$75.00
Seniors (60 & over) from 9:00AM – 12:00PM, Mon. thru Fri.	Free
Daily Guest Rate	\$5.00

**2. OPEN GYM ACTIVITY**

18 & Over	\$4.00
17 & Under	FREE

**3. RECREATION MEMBERSHIP/YEARLY – FULL ACCESS TO POOL, \*FITNESS ROOM, OPEN GYM**

18 & Over	\$340.00
13-17 (17 & under never pays for open gym)	\$190.00
<b>Seniors/Disabled/Veterans</b> (60 & over)	\$170.00
(*13-17, with parent supervision <b>only</b> )	

**4. YEARLY FAMILY \*FITNESS ROOM MEMBERSHIP**

Family of 2	\$188.00
Family of 3	\$263.00
Additional Family Members (per membership)	\$75.00
(*13-17, with parent supervision <b>only</b> )	

**5. YEARLY INDIVIDUAL MEMBERSHIP**

**Gymnasium Membership**

<b>Seniors/Disabled/Veterans</b> (60 & over)	\$75.00
Adults (18 & over)	\$150.00
Seniors (60 & over) from 9:00AM – 12:00PM, Mon. thru Fri.	Free

**Pool Membership (Yearly)**

	<u>Res.</u>	<u>N-Res.</u>
<b>Seniors/Disabled/Veterans</b> (60 & over)	\$50.00	\$100.00
Children (17 & under)	\$50.00	\$100.00
Adults (18 & over)	\$90.00	\$150.00
Family of 4	\$250.00	\$350.00
Additional Family Members (per membership)	\$40.00	\$70.00
Seniors (60 & over) from 9:00AM – 12:00PM, Mon. thru Fri.	Free	



## 6. POOL FEES

### General Pool Admission

Seniors/Children/Disabled/Veterans

Adults

Seniors (60 & over) from 9:00AM – 12:00PM, Mon. thru Fri.

Res.      N-Res.

\$3.00      \$5.00

\$5.00      \$10.00

Free

### Lessons

Tiny Tot Lessons – 6 months – 5 years

6 & older Lessons

Private Swim Lessons (Per Hour)

Res.      N-Res.

\$50.00      \$60.00

\$50.00      \$60.00

\$75.00      \$100.00

### Rentals

Outside Clubs/Organizations – Team Usage

Red Cross Certification Courses

Swim Meets

Senior High Schools (ex: Swim Teams/Water Polo)

Middle Schools (ex: Swim Teams/Water Polo)

Negotiated

Negotiated

Negotiated

\$1,500.00 Season

\$200.00 Monthly

### Pool Rentals

#### Multi-Purpose Room

4-hours

Additional hour(s)

(Maximum 8 Hours)

(Tables & Chairs for 50 people included)

Resident      Non-Resident

\$320.00      \$400.00

\$100.00      \$125.00

#### 16 x 16 Shaded Space

4-hours

Additional hour(s),

(Maximum 8 hours)

(General pool admissions waived up to 8 participants)

Resident      Non-Resident

\$100.00      \$150.00

\$20.00      \$35.00

#### 12 x 12 Umbrellas

4-hours

Additional hour(s),

(Maximum 8 hours)

(General pool admissions waived up to 4 participants)

Resident      Non-Resident

\$50.00      \$80.00

\$15.00      \$20.00

\*\*Security Deposit will be up to the discretion of the City Manager and/or Recreation Director\*\*

Resident      Non-Resident

**Lane Rental (Maximum 6 Participants) (Per Hour)**

\$15.00      \$30.00

\*\*Does not include your general pool admission per person\*\*

**Private Pool Rental**

4- hours  
Additional hour(s), (maximum 8 hours)

**Resident Non-Resident**

\$1,500.00	\$2,000.00
\$250.00	\$400.00

**\*\*Private Rental\*\***

**\*\*The rental includes the use of the pool and designated pool chairs around the pool deck\*\***

**\*\*Only 75 participants are allowed in the pool at one time during the rental\*\***

**\*\*Security Deposit will be up to the discretion of the City Manager and/or Recreation Director\*\***

**Multi-Purpose Room**

4-hours  
Additional hour(s)  
(Maximum 8 Hours)  
(Tables & Chairs for 50 people included)

**Resident Non-Resident**

\$260.00	\$320.00
\$75.00	\$100.00

**16 x 16 Shaded Space**

4-hours  
Additional hour(s),  
(Maximum 8 hours)

**Resident Non-Resident**

\$80.00	\$120.00
\$15.00	\$25.00

**12 x 12 Umbrellas**

4-hours  
Additional hour(s),  
(Maximum 8 hours)

**Resident Non-Resident**

\$40.00	\$65.00
\$10.00	\$15.00

**7. CHILDREN'S PROGRAMS****After School Program**

Registration Fee	\$35.00
Daily Fee	\$8.00
Weekly Fee	\$35.00

After School Bus Only Weekly Fee (applies only to middle school) \$10.00

**School Holiday Program**

Registration Fee*	\$35.00
Daily	\$20.00

\*Registration fee will not be charged for registered after school program participants.

**Full Day Summer Camp**

Registration Fee	\$50.00
Activity Fee	\$100.00*
Weekly Fee (1 <sup>st</sup> child)	\$100.00
Weekly Fee (each additional child)	\$75.00

**\*Field Trip, Special Events Fees**

## 8. FACILITY RENTAL FEES\*

<b>Multi-Purpose/Meeting Room</b>	<b><u>Non-Profit/Private</u></b>	<b><u>For Profit</u></b>
3 hr. Minimum	\$150.00	\$225.00
Every Additional Hour	\$50.00	\$100.00
Security Deposit	\$200.00	\$200.00

**Theatre** Negotiated

### **10X10 Pavilion at Prince Field**

Residents (3 Hour Minimum)	\$50.00
Residents (Additional Hour)	\$15.00
Non-Residents (3 Hour Minimum)	\$100.00
Non-Residents (Additional Hour)	\$25.00
Deposit	\$100.00

\*\*Virginia Gardens Residents are included with Miami Springs Residents

### **Field House\*\***

Resident	\$250.00/4 hrs.
Non-Resident	\$500.00/4 hrs.
Refundable damage deposit	\$100.00

\*\*Facilities (if available) with no charge for City sponsored activities

<b>Basketball Gym (Per Hour)</b>	<b><u>Non-Profit/Private</u></b>	<b><u>For Profit</u></b>
Full Court	\$60.00	\$100.00
Half Court	\$30.00	\$50.00

<b>Volleyball Gym (Per Hour)</b>	<b><u>Non-Profit/Private</u></b>	<b><u>For Profit</u></b>
Full Court	\$30.00	\$50.00

<b>Complete Gym (Wrestling/Judo)</b>	<b><u>Non-Profit/Private</u></b>	<b><u>For Profit</u></b>
Tournament (the whole gym)	\$500.00	\$750.00
Maximum (4) Hours		
Every Additional Hour	\$125.00	\$175.00

<b>Softball &amp; Baseball Field Rentals</b>	<b><u>Non-Profit/Private</u></b>	<b><u>For Profit</u></b>
Practice Fee (no field prep required)	\$10.00	\$15.00
Game Rental (2/hr minimum)	\$30.00	\$40.00
Additional Hour	\$15.00	\$20.00
Game Rental w/Lights (2/hr minimum)	\$40.00	\$50.00
Additional Hour w/Lights	\$20.00	\$25.00
Lining Fee (field prep, drag & line)	\$35.00	\$35.00

<b>Soccer/Flag Football Field Rentals</b>		
Game Rental (2/hr minimum)	\$35.00	\$45.00
Additional Hour	\$17.00	\$22.00
Game Rental w/Lights (2/hr minimum)	\$45.00	\$55.00
Additional Hour w/Lights	\$22.00	\$28.00
Lining Fee	\$75.00	\$75.00

<b>Stafford Park 20 x 20 Pavilion (3 Hours)</b>	<b><u>Resident</u></b>	<b><u>Non-Resident</u></b>
	\$100.00	\$150.00
<b>Each Additional Hour</b>	\$30.00	\$50.00
<b>(Park Hours Sunrise to Sunset)</b>		
<b>Security Deposit</b>	\$100.00	\$100.00
<b>**Virginia Gardens Residents are included with Miami Springs Residents</b>		

#### **Batting Cages**

No Lights per Hour	\$15.00
Lights per Hour	\$25.00

#### **Buses**

##### **Big Bus**

Hourly Rate within MS/VG City Limits	\$75.00
Hourly Rate outside City Limits	\$100.00

**\*\*Bus is only restricted to Miami-Dade County**

##### **Small Bus**

Hourly Rate within MS/VG City Limits	\$50.00
Hourly Rate outside City Limits	\$75.00

**\*\*Bus is only restricted to Miami-Dade County**

#### **4<sup>th</sup> of July**

Spot in the Parade	\$50.00
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**\*\*Non-Profit Organizations will not be charged a fee. Proper Documentation must be shown.**

#### **Circle/Gazebo Pavilion for Weddings and/or Private Events**

Rental (3 Hour Minimum)	\$500.00
Every Additional Hour	\$125.00

**\*\*Police and Public Works will be an additional cost per the staff and services needed to support the wedding/event.**

#### **Curtiss Parkway Median Rental**

Rental	\$100.00
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**\*\*PROVIDE-SET UP-TAKE DOWN OF 5 TABLES & 50 CHAIRS FOR MULTI-PURPOSE ROOM RENTAL: \$50 (not included in the rental fee set by Resolution)**

**\*\*JUMP HOUSES: Will be permitted if they use vendors that are approved by the City. They must also show proof of insurance w/City as co-insured.**

9. **CITY EMPLOYEES** – Full Time Employees, City Council Members and their immediate family members and Grandchildren under age 25.
- A. General Admission Pool, Gym, Fitness Room – FREE
  - B. 50% discount for summer programs operated by the Recreational Department
  - C. 50% discount on special events operated by the Recreational Department
- Note: there are no City provided discounts for programs operated by other Organizations such as the Optimists, Little League, etc.
- D. Grandchildren of Council Members are allowed to receive same discount as their children.
10. **SPECIAL CONTRACTUAL ACTIVITIES:**  
These activities will be offered as available and appropriate fees will be charged. Additional information may be obtained from the Recreation Office.
11. **SPECIAL CONDITIONS, REQUIREMENTS, AND RATES**
- A. There will be no rental or private use of the Prince Field Tot Lot.
  - B. Authorization is hereby given to the City Manager to add and/or adjust Schedule of Charges based upon promotional and marketing activities to encourage usership of the City's recreation facilities. City Manager will advise City Council of changes.
  - C. Security Deposit will be up to the discretion of the City Manager and/or Recreation Director.
  - D. Bi-Annual Payment is available for memberships in excess of \$150 annually.
  - E. All City of Miami Springs employees, their spouses, and their immediate family members (children) under the age of 25, are eligible for resident fees upon presentation of proof satisfactory to the cashier.
  - F. All City of Miami Springs property and/or business owners and their immediate family members (children) under the age of 25, are eligible for resident fees upon presentation of proof satisfactory to the cashier.

**RESOLUTION NO. R2016-001**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS ENACTING A DEVELOPMENT ORDER FOR THE APPROVAL OF A PROJECT AT 665 MOKENA DRIVE TO CONSTRUCT A 69,538 SQUARE FOOT EIGHT STORY HOTEL ON 32,130 SQUARE FOOT (0.737 ACRE) PARCEL OF LAND, WHICH INCLUDES A VARIANCE FROM SECTION 150-16 (E) TO WAIVE SIX OF THE REQUIRED 70 PARKING SPACES AND GRANTING A VARIANCE FROM SECTION 150-106 (A)(9) TO WAIVE THE REQUIREMENT THAT PARKING SPACES HAVE A MINIMUM SEPARATION OF 12 INCHES FROM ANY STRUCTURE, AS PROPOSED ON PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; LIMITATION TO SECURE PERMIT; EFFECTIVE DATE**

**WHEREAS**, the subject property described herein is located within the Northwest 36<sup>TH</sup> Street Zoning District; and,

**WHEREAS**, on April 4, 2016 the Board of Adjustment granted the applicant under Case No. 3-V-16, two variances related to parking; and,

**WHEREAS**, on April 4, 2016 the Zoning & Planning Board granted the applicant under Case No. 4-ZP-16, site plan approval for the applicant's proposed project; and,

**WHEREAS**, on April 11, 2016 the City Council granted the applicant two variances related to parking by approving the actions of the Board of Adjustment; and,

**WHEREAS**, on May 23, 2016 the City Council granted the applicant site plan approval for the applicant's proposed project; and,

**WHEREAS**, in light of the foregoing actions, the City Council has determined that it is both proper and appropriate and in the best interests of the City and its citizens to issue this development order resolution:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1:** Site plan approval and variances are hereby granted subject to the following conditions:

1. Plans submitted for building permit(s) shall substantially comply with those as currently submitted, including the following:
  - Survey, by Pulice Land Surveyors, Inc. dated March 3, 2015
  - Sheet SP-1, Architectural Site Plan, by Phillips Architects, dated, signed and sealed November 5, 2015.

- Sheet SP-2, Pool, Enlarged Plan & Details, by Phillips Architects, dated, signed and sealed November 5, 2015.
- Sheet A-1.1, Floor Plan Level 1, by Phillips Architects, dated, signed and sealed November 5, 2015.
- Sheet A-1.2, Floor Plan Level 2, by Phillips Architects, dated, signed and sealed November 5, 2015.
- Sheet A-1.3, Floor Plan Level 3-5, by Phillips Architects, dated, signed and sealed November 5, 2015.
- Sheet A-2.1, Roof Plan, by Phillips Architects, dated, signed and sealed November 5, 2015.
- Sheet A-4.1, Exterior Elevations, by Phillips Architects, dated, signed and sealed November 5, 2015.
- Sheet A-4.2, Exterior Elevations, by Phillips Architects, dated, signed and sealed November 5, 2015.
- Sheet A-5.1, Building Sections, by Phillips Architects, dated, signed and sealed November 5, 2015.
- Sheet A-5.2, Building Sections, by Phillips Architects, dated, signed and sealed November 5, 2015.
- Sheet LP-1, Landscape Plan, by Phillips Architects, dated October 16, 2015, revised on November 5, 2015, and signed and sealed N.D.
- Sheet C-3, Paving-Grading-Drainage Plan and Notes, by Consulting Engineering & Science, INC., dated June 22, 2015, signed and sealed November 4, 2015.
- Sheet C-7, Water & Sewer Plan, by Consulting Engineering & Science, INC., dated July 31, 2015, signed and sealed November 4, 2015.

Substantial compliance shall be at the sole determination of the City.

2. A completed paving and drainage plan showing proposed existing grading, drainage details and calculations must be submitted to and approved by the City prior to the issuance of a building permit.

3. All utilities, including but not limited to electrical, cable television and telephone must be located underground. The manner of locating these utilities, as well as the location of the transformer(s) must be submitted to and approved by the City. Transformers and other above ground equipment must be screened with landscaping.

4. Project must be in complete conformity with the American with Disabilities Act (ADA).

5. Building materials and color samples must be submitted to, and approved by, the City prior to the issuance of a building permit for this project.

6. A lighting plan for the entire property shall be submitted by a qualified lighting professional. Said plan shall include the decorative façade lighting in addition to that provided for safety and security needs. All exterior lighting shall be white lighting only. Lighting shall be contained on-site only.

7. A revised landscape and irrigation plan, signed and sealed by a Florida registered Landscape Architect, shall be submitted to, and approved by, the City. The plan shall be approved prior to the issuance of a building permit, and the installed materials inspected and approved prior to the issuance of a building permit, and the installed materials inspected and approved prior to the issuance of a Certificate of Occupancy. This plan shall include all adjacent swale areas.

8. The design, dimensions, materials, quality and location of all outdoor accessory features, including but not limited to security bollards, trash cans, light poles and street furniture must be submitted to and approved by the City.

9. When plans are submitted for building permit, a cover sheet must be included incorporating the final Resolution approving this project, including all conditions related to said approval

**Section 2:** That pursuant to Section 150-111 (B)(5) of the Code of Ordinances of the City of Miami Springs, the applicant must obtain a master building permit from the City within one (1) year of the date of this Resolution or the site plan approval previously granted for the subject project shall be deemed null and void and the applicant shall be required to reapply for site plan review, unless the term has been previously extended by City Council action prior to its expiration.

**Section 3:** That the provisions of this Resolution shall be effective immediately upon adoption by the City Council.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida, at the regular meeting of June 13, 2016.

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Zavier M. Garcia, Mayor

**ATTEST:**

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Erika Gonzalez-Santamaria, MMC, City Clerk

**APPROVED AS TO LEGALITY AND FORM:**

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Jan K. Seiden, City Attorney



## **EXHIBIT "A"**

### **LEGAL DESCRIPTION:**

THE SOUTH 75 FEET OF THE NORTH 350 FEET OF TRACT "D," IN BLOCK 131, OF "REVISED PLAT OF PORTION OF SECTION -2 OF COUNTRY CLUB ESTATES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, PAGE 40 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

THE SOUTH 100 FEET OF THE NORTH 450 FEET OF TRACT "D," IN BLOCK 131, OF "REVISED PLAT OF PORTION OF SECTION -2 COUNTRY CLUB ESTATES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, PAGE 40, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FORMERLY KNOWN AS LOTS 9 AND 10, IN BLOCK 131, OF "SECTION -2 OF COUNTRY CLUB ESTATES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 79, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

**RESOLUTION NO. R2016-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS ENACTING A DEVELOPMENT ORDER FOR THE APPROVAL OF A PROJECT AT 4949 NW 36 STREET TO CONSTRUCT A 90,080 SQUARE FOOT ELEVEN STORY HOTEL ON TWO PARCELS OF LAND TOTALLING 49,132 SQUARE FOOT (1.13 ACRES) AS PROPOSED ON PROPERTY LEGALLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO; LIMITATION TO SECURE PERMIT; EFFECTIVE DATE**

**WHEREAS**, the subject property described herein is located within the Northwest 36<sup>TH</sup> Street Zoning District; and,

**WHEREAS**, on April 4, 2016 the Zoning & Planning Board granted the applicant under Case No. 3-ZP-16, site plan approval for the applicant’s proposed project; and,

**WHEREAS**, on May 23, 2016 the City Council granted the applicant site plan approval for the applicant’s proposed project; and,

**WHEREAS**, in light of the foregoing actions, the City Council has determined that it is both proper and appropriate and in the best interests of the City and its citizens to issue this development order resolution:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1:** Site plan approval and variances are hereby granted subject to the following conditions:

1. Plans submitted for building permit(s) shall substantially comply with those as currently submitted, including the following:
  - Sheet A-000, COVER SHEET, by EOF Designs, dated, signed and sealed March 1, 2016.
  - Sheet A-004, SURVEY, by Manuel G. Vera & Associates, Inc., dated, December 15, 2014.
  - Sheet A-005.1, LOCATION – ZONING DISTRICT, by EOF Designs, dated, signed and sealed March 1, 2016.
  - Sheet A-010, SITE DATA, by EOF Designs, dated, signed and sealed March 1, 2016.
  - Sheet A-050, SITE PLAN, by EOF Designs, dated, signed and sealed March 1, 2016.
  - Sheet L-001, PLANTING PLAN, by Studio Roberto Rovira, dated, signed and sealed February 3, 2016.

- Sheet A-100, GROUND & 2<sup>ND</sup> FLOOR PLAN, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-101, TYPICAL 3<sup>RD</sup>-6<sup>TH</sup>, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-102, TYPICAL 3<sup>RD</sup>-6<sup>TH</sup>, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-103, TYPICAL 3<sup>RD</sup>-6<sup>TH</sup>, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-104, PH (9 &10) AND ROOF, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-200, ELEVATIONS, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-201, ELEVATIONS, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-202, ELEVATIONS, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-250, MATERIALS AND FINISHES, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-251, MATERIALS AND FINISHES, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-300, ELEVATIONS, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-400, RENDERINGS, by EOF Designs, dated, signed and sealed March 1, 2016.
- Sheet A-401, RENDERINGS, by EOF Designs, dated, signed and sealed March 1, 2016.

Substantial compliance shall be at the sole determination of the City.

2. A completed paving and drainage plan showing proposed existing grading, drainage details and calculations must be submitted to and approved by the City prior to the issuance of a building permit.
3. All utilities, including but not limited to electrical, cable television and telephone must be located underground. The manner of locating these utilities, as well as the location of the transformer(s) must be submitted to and approved by the City. Transformers and other above ground equipment must be screened with landscaping.
4. Project must be in complete conformity with the American with Disabilities Act (ADA).
5. Building materials and color samples must be submitted to, and approved by, the City prior to the issuance of a building permit for this project.

6. A lighting plan for the entire property shall be submitted by a qualified lighting professional. Said plan shall include the decorative façade lighting in addition to that provided for safety and security needs. All exterior lighting shall be white lighting only. Lighting shall be contained on-site only.
7. A revised landscape and irrigation plan, signed and sealed by a Florida registered Landscape Architect, shall be submitted to, and approved by, the City. The plan shall be approved prior to the issuance of a building permit, and the installed materials inspected and approved prior to the issuance of a building permit, and the installed materials inspected and approved prior to the issuance of a Certificate of Occupancy. This plan shall include all adjacent swale areas.
8. The design, dimensions, materials, quality and location of all outdoor accessory features, including but not limited to security bollards, trash cans, light poles and street furniture must be submitted to and approved by the City.
9. When plans are submitted for building permit, a cover sheet must be included incorporating the final Resolution approving this project, including all conditions related to said approval

**Section 2:** That pursuant to Section 150-111 (B)(5) of the Code of Ordinances of the City of Miami Springs, the applicant must obtain a master building permit from the City within one (1) year of the date of this Resolution or the site plan approval previously granted for the subject project shall be deemed null and void and the applicant shall be required to reapply for site plan review, unless the term has been previously extended by City Council action prior to its expiration.

**Section 3:** That the provisions of this Resolution shall be effective immediately upon adoption by the City Council.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida, at the regular meeting of June 13, 2016.

---

Zavier M. Garcia, Mayor

**ATTEST:**

---

Erika Gonzalez-Santamaria, MMC, City Clerk

**APPROVED AS TO LEGALITY AND FORM:**

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**LEGAL DESCRIPTION:****PARCEL 1:**

Lot 19, and the North 12.5 feet of Lot 18, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 2:**

Lots 11 and 12, LESS the South 15 feet, Block 134, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 3:**

Tract D, in Block 133, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, LESS AND EXCEPTING THEREFROM the North 150 feet of said Tract D and FURTHER LESS AND EXCEPTING THEREFROM those lands made part of the conveyance to the State Road Department for road purposes, as recorded in Deed Book 2381, Page 58, being the South 15 feet of Lot 13, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 4:**

The South 40 feet of Lot 6 and all of Lot 7, 8 and 9, Block 133, Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida. ALSO KNOWN AS the South 40 feet of Lot 6 and the North 23 feet of Lot 7, in Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida; TOGETHER WITH the North 37 feet of Lot 8, and the South 27 feet of Lot 7, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida; TOGETHER WITH Lot 9, and the South 13 feet of Lot 8, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 5:**

The South 62.5 feet of Tract A, Block 134, of the Revised Plat of Section 2 of Country

Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, ALSO KNOWN AS Lot 10, and the South 12.5 feet of Lot 9, Block 134, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 6:**

The South 62.5 feet of the North 187.5 feet of Tract A, Block 134, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, FORMERLY KNOWN AS Lot 8, LESS the North 25 feet thereof, and Lot 9, LESS the South 12.5 feet thereof, Block 134, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 7:**

The South 62.5 feet of the North 125 feet of Tract A, Block 134, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, FORMERLY KNOWN AS Lot 8, LESS the South 25 feet and the South 37.5 feet of Lot 7, Block 134 of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 8:**

Lot 18, LESS the North 12.5 feet, and the North 25.0 feet of Lot 17, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami- Dade County, Florida.

**PARCEL 9:**

The North 62.5 feet of Tract A, Block 134, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, ALSO KNOWN AS Lot 7, LESS the South 37.5 feet, and all of Lot 6, Block 134, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 10:**

The South 62.5 feet of the North 150 feet of Tract D, Block 133, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat

Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, ALSO KNOWN AS Lot 16, LESS the North 37.5 feet thereof, and all of Lot 15, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

#### PARCEL 11

The South 62.5 feet of the North 87.5 feet of Tract D, Block 133, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, FORMERLY KNOWN AS Lot 17, LESS the North 25 feet thereof, and the North 37.5 feet of Lot 16, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.



# AGENDA MEMORANDUM

**Meeting Date:** 6/13/16

**To:** The Honorable Mayor Xavier Garcia and Members of the City Council

**Via:** Ron Gorland, City Manager

**From:** Chris Heid, Planner

**Subject:** Rights-of-Way Vacation

**Discussion/Analysis:** The applicant proposes the abandonment of portions of rights-of-way

**Fiscal Impact (If applicable):** Increase in taxes paid as these properties become privately owned and taxable. Potential increase in taxes paid to the City as a larger development parcel should yield a larger project.

**Recommendation:** It is recommended that the rights-of-way be vacated subject to the eight conditions contained in the staff report.

**Submission Date and Time:** 6/13/2016 10:00 AM

<u>Submitted by:</u>	<u>Approved by (sign as applicable):</u>	<u>Funding:</u>
Department: <u>Planning</u>	Dept. Head: <u>[Signature]</u>	Dept./ Desc.: _____
Prepared by: <u>Chris Heid</u>	Procurement: _____	Account No.: _____
Attachments: Yes	Asst. City Mgr.: <u>[Signature]</u>	Additional Funding: _____
	City Manager: _____	Amount previously approved: \$ _____
	Attorney: _____	Current request: \$ _____
		Total vendor amount: \$ _____



# CITY OF MIAMI SPRINGS PLANNING DEPARTMENT

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201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5030  
Fax: (305) 805-5036

## MEMORANDUM

**TO:** Mayor & Council

**FROM:** Christopher Heid, City Planner

**DATE:** May 23, 2016

**SUBJECT:** Application for street abandonment and alley vacation

**CASE #** 02-ZP-16

**APPLICANT:** Sucre, LLC

**ADDRESS:** 4949 NW 36 Street

**REQUEST:** Applicant is requesting the abandonment of a portion of a City-owned street (La Villa Drive) 20,731 square feet in size, and the vacation of a portion of an alley, 4,284 square feet in size.

**THE PROPERTY:** The property is 13 separate parcels separated by a City-owned alley, and a City-owned street, La Villa Drive. The western and central parcels are identical, rectangular in shape, with 142 feet of frontage on NW 36 Street, and a depth of 346 square feet. Each parcel contains 48,990 square feet.

La Villa Drive runs between the two parcels. It is a 60 foot wide street with a depth of 346 feet, for a total size of 20,732 square feet.

The eastern parcel is also rectangular in shape, with a width of 190 feet of frontage on Mineola Drive, and a depth of 142 feet, for a total lot size of 26,980 square feet. It abuts a 16 foot wide alley, at the rear (west).

This alley, running between the central and eastern parcels is 16 feet wide and 345 feet in depth, containing 5,367 square feet would be abandoned as well.

In total, the rights-of-way to be abandoned measure 26,099 square feet, or 0.599 acres.

However, when rights-of-way are abandoned, half of the property goes to each adjacent private property owner. As such, the portion of La Villa Drive to be abandoned would go completely to the applicant, as they are the property owners on both sides of the Street. Similarly, the northern portion of the alley to the west of the eastern parcel would go completely to the applicant, as they are the owners on both sides of the street. However, on the south portion of the alley, the west half would go to the applicant, while the east half would go to the adjacent private property owner.

In summary, the thirteen private parcels contain a total of 124,960 square feet, or 2.86 acres. The street and alley to be abandoned is a total of 26,099 square feet, or 0.599 acres. The total lot size, after abandonment, would be 151,059 square feet, or 3.46 acres.

**ANALYSIS:** La Villa Drive has been closed to through traffic for years by a metal guardrail and landscaping to prevent cut through traffic into the residential neighborhood. Many of the other streets in the area have similar treatment. Therefore, there would be no impact on traffic flow on La Villa Drive, and little impact – other than trash collection- in the alley. And with the construction of a wall along the north property line, the adjacent residential areas will be better protected from the commercial activity on NW 36 Street.

The most difficult aspects of redevelopment in the NW 36 Street District are the small, shallow lots under multiple ownership. The City is willing to vacate the rights-of-way in order to establish what is an unusually large parcel in the City. However, the fundamental condition that the City requires is the recordation of a unity of title or covenant in lieu of unity of title that secures the multiple parcels into a single development site under single ownership, which can only be separated by the City Council.

**HISTORY:** This request received a favorable recommendation from the Zoning & Planning Board on April 4, 2016 by a vote of 3-2.

**RECOMMENDATION:** It is recommended that the request for street abandonment and alley vacation be approved, subject to the following conditions:

1. Any utilities currently located within the abandoned street and vacated alley must be relocated at the applicant's expense, in a location and manner to be approved by the City.
2. A six foot high CBS wall shall be constructed along the north property line.
3. A Covenant-Lieu-of Unity of Title shall be executed in substantially similar form as that as submitted as part of the record. The Covenant-Lieu-of Unity of Title shall be recorded by the applicant with the Miami-Dade County Clerk's Office.

4. Approval for the vacations must be obtained from Miami-Dade County and the Florida Department of Transportation, and Miami Dade Fire Department, as applicable.
5. An Opinion of Title must be submitted for the review and approval of the City.
6. A cross-access, cross-parking agreement shall be submitted for all common areas of the unified site plan, in a form and manner to be approved by the City.
7. A property owner's association shall be created among all owners that is responsible for upkeep and maintenance of all common areas in a form and manner to be approved by the City.
8. Applicant must agree to a unified development that utilizes the full development site in a manner consistent with the site plan entitled "Miami Springs Development-Overall Site Plan" and "Miami Springs Development Overall Site Plan- Roof View, prepared by EOF Designs and dated March 31, 2016. Any substantial deviation from the site plan must be approved by the City Council at a public hearing. Minor deviations from the site plan may be addressed administratively. What constitutes substantial and minor deviations is at the sole discretion of the City.



**ZONING AND PLANNING BOARD  
CITY OF MIAMI SPRINGS, FLORIDA**

PETITION FOR A HEARING BEFORE THE ZONING & PLANNING BOARD

\*\*\*\*\*

**OFFICIAL USE ONLY**

Case No. : \_\_\_\_\_ -ZP- \_\_\_\_\_ Date: \_\_\_\_\_ Fees Paid/ Receipt No. : \_\_\_\_\_

Date hearing is advertised: \_\_\_\_\_ Date set for Public Hearing: \_\_\_\_\_

The owner and/or his/her agent has \_\_\_\_\_ has not \_\_\_\_\_ submitted a petition regarding the subject within the last six months.

\*\*\*\*\*

(I) (We) Salvatore Natoli, on behalf of Sucre, LLC of 4909 & 4849 NW 36<sup>th</sup> Street

Owners Name

Address Petition Requested For

Hereby petition the City of Miami Springs, Florida, to review the instant petition for Zoning and Planning approval on the following legally described property:

The legal description is See attached Exhibit "A"

Lot(s)

Block

Subdivision

The subject property is generally located at NW 36<sup>th</sup> Street and La Villa Drive

Interest of applicant to the premises affected: Agent for Owner

(Owner /Lessee/ Agent)

Lot Size: N/A Area of subject property: 0.57± acre (25,016± sq. ft.)  
Square feet or acres

Number of street frontage & name of street(s): La Villa Drive – 345.55 feet;  
Alley – 345.45 feet

Type of use and improvement proposed (state also whether new structures are to be built, existing structures used, or additions made to existing buildings): (i) Vacation of a portion of La Villa Drive extending approximately 345 feet north of N.W. 36<sup>th</sup> Street, and (ii) vacation of approximately 345 feet of an alley located immediately east of La Villa Drive, as reflected on the enclosed survey.

What reasons exist which permit the subject property to be used in accordance with the petition and supporting documentation. Please state the reasons:

Please see attached Letter of Intent.

State in what way the proposed plan/project will be appropriate and desirable to the City of Miami Springs, and the effect of the proposed plan/project in the immediate neighborhood:

Please see attached Letter of Intent.

What change or changing conditions make the approval of this proposed plan/project necessary?

Please see attached Letter of Intent.

Are there any other circumstances which justify the approval of the plan/project?

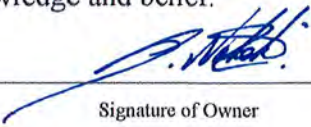
Please see attached Letter of Intent.

If you are completing this application and are also the owner of the subject property, please complete the following:

State of Florida:

County of Miami-Dade:

(I) (We) Salvatore Natoli, being duly sworn, depose and say that I/we own one or more of the properties involved in this petition and that I/we have familiarized myself/ourselves with the rules and regulations of the Zoning and Planning Board with respect to preparing and filling this petition and that the foregoing statements contained herein and other information attached hereto, present the arguments in behalf of the petition herein requested to the best of my/our ability and that the statements and information referred to above are, in all respects, true and correct to the best of my/our knowledge and belief.

  
Signature of Owner

\_\_\_\_\_  
Signature of Co-Owner

Salvatore Natoli  
Authorized Representative, Sucre, LLC

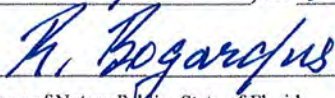
\_\_\_\_\_  
Printed Name of Co-Owner

Printed Name of Owner  
786-614-8406  
Daytime Phone Number

\_\_\_\_\_  
Daytime Phone Number

The contents of this Petition are Sworn to and subscribed before me this 13th day of July, 20 15.

The contents of this Petition are Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

  
Signature of Notary Public- State of Florida

\_\_\_\_\_  
Signature of Notary Public- State of Florida

 ROSA A. BOGARDUS  
MY COMMISSION # EE 165192  
EXPIRES: January 31, 2016  
Bonded Thru Budget Notary Services

\_\_\_\_\_  
Print, Type, or Stamp Name of Notary Public

Commission Expiration Date: 01-31-2016  
Personally known to me: \_\_\_\_\_  
Produced Identification: FL.D.R.L.C  
N346-760-60-292-0

Commission Expiration Date: \_\_\_\_\_  
Personally known to me: \_\_\_\_\_  
Produced Identification: \_\_\_\_\_

***If you are completing this application as an agent of the subject property owner, please complete the following:***

State of Florida:

County of Miami-Dade:

(I) (We) \_\_\_\_\_, being duly sworn, depose and say that I/we serve as \_\_\_\_\_ for the owner(s) in making this petition and that the owner(s) have authorized me/us to act in this capacity. I/We have familiarized myself/ourselves with the rules and regulations of the Zoning and Planning Board with respect to preparing and filling this petition and that the foregoing statements contained herein and other information attached hereto, present the arguments in behalf of the petition herein requested to the best of my/our ability and that the statements and information referred to above are, in all respects, true and correct to the best of my/our knowledge and belief.

\_\_\_\_\_  
Signature of Agent

\_\_\_\_\_  
Authorization Signature of Owner

\_\_\_\_\_  
Printed Name of Agent

\_\_\_\_\_  
Printed Name of Owner

\_\_\_\_\_  
Daytime Phone Number

\_\_\_\_\_  
Daytime Phone Number

The contents of this Petition are Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

The contents of this Petition are Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public- State of Florida

\_\_\_\_\_  
Signature of Notary Public- State of Florida

\_\_\_\_\_  
Print, Type, or Stamp Name of Notary Public

\_\_\_\_\_  
Print, Type, or Stamp Name of Notary Public

Commission Expiration Date: \_\_\_\_\_  
Personally known to me: \_\_\_\_\_  
Produced Identification: \_\_\_\_\_

Commission Expiration Date: \_\_\_\_\_  
Personally known to me: \_\_\_\_\_  
Produced Identification: \_\_\_\_\_

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MIADOCS 11240250 1

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION (ALLEY)**

A PORTION OF THE 16 FOOT ALLEY IN BLOCK 133, AS SHOWN ON THE FOLLOWING TWO PLATS: SECTION 2 OF COUNTRY CUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, AT PAGE 79 AND REVISED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, AT PAGE 40, BOTH, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMERCE AT THE N.E. CORNER OF LOT 19, BLOCK 133 OF THE ABOVE NAMED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES; THENCE S02°08'17"E FOR 10.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE N87°31'12"E FOR 16.00 FEET TO A POINT ON THE EAST LINE OF SAID ALLEY; THENCE S2°08'17"E FOR 335.45 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.W. 36<sup>TH</sup> STREET, STATE ROAD 948, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 87220-2506, SHEET 7 OF 11 SHEETS; THENCE S87°29'29"W ALONG THE RIGHT-OF-WAY LINE OF SAID N.W. 36<sup>TH</sup> STREET, FOR 16.00 FEET TO A POINT ON THE WEST LINE OF SAID ALLEY, THEN N02°08'17"W ALONG THE WEST LINE OF SAID ALLEY, FOR 335.45 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 5,367 SQUARE FEET MORE OR LESS OR 0.12 ACRES MORE OR LESS.



### **LEGAL DESCRIPTION (LA VILLA DRIVE)**

A PORTION OF THE 60 FOOT RIGHT-OF-WAY FOR LA VILLA DRIVE, AS SHOWN ON THE FOLLOWING TWO PLATS: SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, AT PAGE 79 AND REVISED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, AT PAGE 40, BOTH, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THE ABOVE DESCRIBED PARCEL CONTAINING 20,732 SQUARE FEET MORE OR LESS OR 0.47 ACRES MORE OR LESS.



SANTIAGO D. ECHEMENDIA  
PARTNER  
Shutts & Bowen LLP  
200 South Biscayne Boulevard  
Suite 4100  
Miami, Florida 33131  
DIRECT (305) 347-7321  
FAX (305) 347-7897  
EMAIL SEchemendia@shutts.com

March 7, 2016

**BY HAND DELIVERY**

Mr. Chris Heid  
Planning and Zoning Director  
City of Miami Springs  
201 Westward Drive  
Miami Springs, Florida 33166

**Re: Sucre, LLC's Request for Vacation of Right-of-Way**

Dear Mr. Heid:

Our firm represents Sucre, LLC (the "Applicant"). The Applicant owns 13 parcels totaling approximately 2.83± acres located on the north side of N.W. 36<sup>th</sup> Street and adjacent to La Villa Drive and Minola Drive (the "Property"). This letter shall serve to respectfully request, on behalf of the Applicant, the City's approval of the closure of the segment of La Villa Drive extending approximately 345 feet north of N.W. 36<sup>th</sup> Street (the "La Villa Drive ROW") and approximately 335 feet of an alleyway located immediately east of La Villa Drive (the "Alley ROW"), as reflected on the enclosed survey, in order to facilitate the redevelopment of the Property (the "Application").

**Background:**

The Applicant acquired the Property in February 2015 with the intent to redevelop it with a unified mixed use development in accordance with the NW 36<sup>th</sup> Street District regulations contained in the City's Comprehensive Plan and Zoning Code. According to the City's Comprehensive Plan, the intent of the NW 36<sup>th</sup> Street District is to encourage large-scale developments of a wide range of compatible and complementary uses, including hotels, retail and residential uses. The Property currently consists of 13 tax parcels located adjacent to and bisected by the La Villa Drive ROW and Alley ROW. The City's approval of the Application would allow for the aggregation of these 13 parcels in order to create a unified development tract, which will facilitate redevelopment of the Property with a cohesive, mixed use development comprised of hotel, residential and retail uses.

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Application:

The Application is consistent with the goals, policies and objectives of the City's Comprehensive Plan. Policy 1.8.1 of the Comprehensive Plan allows for the vacation of right-of-way provided that the vacated right-of-way is not necessary to accommodate future storm or sanitary sewer facilities. The La Villa Drive ROW and Alley ROW are not needed for future City infrastructure needs, as the requested vacation of right-of-way will facilitate redevelopment of the Property and necessary infrastructure upgrades to service the unified project. As a result, infrastructure in the surrounding area will be upgraded to the benefit of all residents and businesses.

In addition, vacation of the subject right-of-ways would not adversely affect traffic circulation or roadway connectivity. The La Villa Drive ROW is a dead-end street, commencing at N.W. 36<sup>th</sup> Street and terminating at the north boundary of the Property. Therefore, vacating the La Villa Drive ROW would not adversely impact traffic circulation or roadway connectivity as it is currently an isolated segment of roadway bounded on all sides by the Applicant's Property. Approximately 200 feet of the Alley ROW is surrounded by the Applicant's Property, and the remaining 135 feet is bordered by an abutting gas station. However, the gas station is located at the corner of N.W. 36<sup>th</sup> Street and Minola Drive and has ingress and egress from both street frontages.

Requested Modifications:

We previously presented the Application to the Zoning and Planning Board on August 4, 2015, at which time the Board unanimously recommended approval. We indicated at the Board meeting that as an alternative to a unity of title as requested by staff, our client would like the option of providing a covenant in lieu of a unity of title. We proceeded before the City Council on October 12, 2015, at which time the City Council directed the City Attorney to bring back the item with a draft Resolution for approval. In the interim, the City Attorney opined that we must modify the Application to vacate the entire width of the Alley ROW adjacent to the gas station and that we must re-present the Application before the Zoning and Planning Board for review of our request for a covenant in lieu of unity of title. While we disagree with these requirements, as a courtesy to the City Attorney we are hereby amending the Application and bringing it back before you for your consideration.

With respect to our request to allow for a covenant in lieu of unity of title, we would like to emphasize that it accomplishes the same purpose as a unity of title but simply allows for different ownership of the underlying parcels. A covenant in lieu of unity of title is typically used to regulate multi-phased or mixed-use developments that may result in multiple ownership. It permits a developer to finance separate components of the project, thereby facilitating development. A covenant in lieu contains the same safeguards as a unity of title: (i) it is a recorded in the public records and runs with the land, meaning that is binding on all successors and assigns; and (ii) it can only be amended or released by approval of the City Council.

Conclusion:

The vacation of the La Villa Drive ROW and Alley ROW is an integral component of the redevelopment of the Property. The approval of the Application will facilitate the redevelopment of the Property, which will in turn help revitalize the NW 36<sup>th</sup> Street corridor by encouraging additional development and investment in the surrounding area. The Application is also in the best interests of the City and its citizens, as redevelopment of the Property will improve the character and design of development along the NW 36<sup>th</sup> Street corridor in accordance with the City's Comprehensive Plan and Zoning Code regulations.

We respectfully request your favorable review of this Application. Should you have any questions, comments, or require additional information, please do not hesitate to contact me at (305) 347.7321.

Yours very truly,

Shutts & Bowen LLP



Santiago D. Echemendia  
Kathleen Maurer

cc: Sucre, LLC  
Salvatore Natoli  
Peter Lagonowicz, Esq.

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THE ABOVE DESCRIBED PARCEL CONTAINING 20,732 SQUARE FEET MORE OR LESS OR 0.47 ACRES MORE OR LESS.

**PREPARED BY AND RETURN TO:**

Santiago Echemendia, Esq.  
Shutts & Bowen LLP  
200 S. Biscayne Boulevard  
Suite 4100  
Miami, Florida 33131

(Space reserved for Clerk)

---

**COVENANT RUNNING WITH THE LAND  
IN LIEU OF UNITY OF TITLE**

*KNOW ALL BY THESE PRESENTS* that the undersigned Owner hereby makes, declares and imposes on the land herein described, these easements and covenants running with the title to the land, which shall be binding on the Owner, all heirs, successors and assigns, personal representatives, mortgagees, lessees, and against all persons claiming by, through or under them;

*WHEREAS*, a Covenant in Lieu of Unity of Title allows for the development of a unified development tract in accordance with local land development regulations, while also permitting the sale or encumbrance of individual parcels or phases to facilitate the development of the unified tract;

*WHEREAS*, Owner holds the fee simple title to that certain property located in the City of Miami Springs, Florida (the "City"), as more particularly described on Exhibit "A," attached hereto and made a part hereof (the "Property"), which is supported by the attorney's opinion of title attached hereto as Exhibit "B";

*WHEREAS*, Owner has applied to the City to vacate certain right-of-ways located adjacent to the Property and more particularly described on attached Exhibit "C" (the "Right-of-Ways"), and Owner desires to ensure to the City that, upon the City's vacation of the Right-of-Ways, the Property will be developed as a unified development tract;

*WHEREAS*, Owner intends to develop a mixed use project on the Property to consist of such uses as hotel, office, retail, and multifamily residential, with such development to be completed in phases (the "Project"); and

*WHEREAS*, Owner may wish to convey portions of the Property or components of the Project from time to time in order to facilitate the development of the Project, and this instrument is executed in order to assure that the phased development of the Property with future multiple ownership will not violate the Zoning Code of the City.

*NOW THEREFORE*, in consideration of the premises, Owner hereby agrees as follows:

1. The Owner of the Property hereby agrees and declares that (i) for the purpose of determining compliance with all aspects of the Zoning Code of the City, the Property shall be considered as one plot and parcel of land, and (ii) so long as this instrument shall remain in effect, any and all conveyances or transfers of all or any portion of the Property by the Owner, its grantees, successors and assigns, shall be subject to the terms and restrictions of this Declaration as if any such grantee, successor, or assign were a party hereto or a signatory hereof. The recordation of separate mortgages on each phase or parcel subsequent to the recordation of this instrument shall not be deemed as a breach of the covenants contained herein, nor shall the submission of the Property to condominium ownership or the sale of phases or individual units in the development to third party purchasers.
2. The Property will be developed in substantial conformity with the site plan entitled "La Villa Drive Development Hotel & Office – Overall Site Plan," prepared by EOF Designs and dated \_\_\_\_\_. No modification shall be effected in said site plan without the written consent of the then owner(s) of the Property and the Director of Planning and Zoning; provided that should the Director withhold such approval, the then owner(s) of the Property shall be permitted to seek such modification by application to modify the plan or covenant at public hearing before the City Council.
3. If the Property is developed in phases, each phase will be developed in substantial accordance with the site plan.
4. In the event of multiple ownership, each of the subsequent owners, mortgagees and other parties in interest shall be bound by the terms, provisions and conditions of this instrument. Owner further agrees that it will not convey portions of the Property to such other parties unless and until the Owner and such other party or parties have executed and mutually delivered in recordable form an instrument known as an "Easement and Operating Agreement," which shall contain, among other things:
  - (i) easements in the common area of each parcel for ingress to and egress from other parcels;
  - (ii) easements in the common area of each parcel for the passage and parking of vehicles;
  - (iii) easements in the common area of each parcel for the passage and accommodation of pedestrians;
  - (iv) easements for access roads across the common area of each parcel to public and private roadways;
  - (v) easements for the installation, use, operation, maintenance, repair, replacement, relocation and removal of utility facilities in appropriate areas in each such parcel;



- (vi) easements on each such parcel for construction of buildings and improvements in favor of each such other parcel;
  - (vii) easements in favor of each such parcel for pedestrian and vehicular traffic over dedicated private roads and access roads; and
  - (viii) appropriate agreements between the owners of the several parcels as to the obligation to maintain and repair all private roadways, parking facilities, common areas and the like.
5. The provisions of this instrument shall become effective upon their recordation in the public records of Miami-Dade County, Florida, and shall continue in effect for a period of thirty (30) years after the date of such recordation, after which time they shall be extended automatically for successive periods of ten (10) years each, unless released in writing by the then owners of the Property and the City Planning Director, acting for and on behalf of the City, upon the demonstration and affirmative finding that the same is no longer necessary to preserve and protect the Property for the purposes herein intended.
  6. The provisions of this instrument may be amended, modified or released by a written instrument executed by the then Owner or Owners of the Property, with joinders by all mortgagees, if any, provided same is also approved at a public hearing by the City Council.
  7. Enforcement shall be by action against any parties or persons violating or attempting to violate any covenants. The prevailing party to any action or suit pertaining to or arising out of this Declaration shall be entitled to recover, in addition to costs and disbursements, allowed by law, such sum as the court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.
  8. Invalidation of any of these covenants by judgment of court shall not affect any of the other provisions, which shall remain in full force and effect.
  9. This Declaration shall be recorded in the public records of Miami-Dade County at the Owner's expense.
  10. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

[SIGNATURE PAGE FOLLOWS]

Signed, witnessed, executed and acknowledged this \_\_\_\_ day of \_\_\_\_\_, 2016.

Witnesses

SUCRE, LLC, a Florida limited liability  
company

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_  
Salvatore Natoli, Authorized Representative

\_\_\_\_\_  
Print Name: \_\_\_\_\_

STATE OF FLORIDA            )  
  ) SS  
COUNTY OF MIAMI-DADE )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ 2016, by Salvatore Natoli, as Authorized Representative of SUCRE, LLC, a Florida limited liability company. He is personally known \_\_\_\_ or produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY SIGNATURE  
Print or Stamp Name:  
Notary Public, State of \_\_\_\_\_  
My Commission Expires:

APPROVED AS TO FORM AND  
CORRECTNESS:

\_\_\_\_\_  
JAN SEIDEN  
City Attorney

**EXHIBIT A**

**The Property**

**PARCEL 1:**

Lot 19, and the North 12.5 feet of Lot 18, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 2:**

Lots 11 and 12, LESS the South 15 feet, Block 134, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 3:**

Tract D, in Block 133, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, LESS AND EXCEPTING THEREFROM the North 150 feet of said Tract D and FURTHER LESS AND EXCEPTING THEREFROM those lands made part of the conveyance to the State Road Department for road purposes, as recorded in Deed Book 2381, Page 58, being the South 15 feet of Lot 13, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 4:**

The South 40 feet of Lot 6 and all of Lot 7, 8 and 9, Block 133, Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida. ALSO KNOWN AS the South 40 feet of Lot 6 and the North 23 feet of Lot 7, in Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida; TOGETHER WITH the North 37 feet of Lot 8, and the South 27 feet of Lot 7, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida; TOGETHER WITH Lot 9, and the South 13 feet of Lot 8, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 5:**

The South 62.5 feet of Tract A, Block 134, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, ALSO KNOWN AS Lot 10, and the South 12.5 feet of Lot 9, Block 134, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 6:**

The South 62.5 feet of the North 187.5 feet of Tract A, Block 134, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, FORMERLY KNOWN AS Lot 8, LESS the North 25 feet thereof, and Lot 9, LESS the South 12.5 feet thereof, Block 134, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 7:**

The South 62.5 feet of the North 125 feet of Tract A, Block 134, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, FORMERLY KNOWN AS Lot 8, LESS the South 25 feet and the South 37.5 feet of Lot 7, Block 134 of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 8:**

Lot 18, LESS the North 12.5 feet, and the North 25.0 feet of Lot 17, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 9:**

The North 62.5 feet of Tract A, Block 134, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, ALSO KNOWN AS Lot 7, LESS the South 37.5 feet, and all of Lot 6, Block 134, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 10:**

The South 62.5 feet of the North 150 feet of Tract D, Block 133, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, ALSO KNOWN AS Lot 16, LESS the North 37.5 feet thereof, and all of Lot 15, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**PARCEL 11**

The South 62.5 feet of the North 87.5 feet of Tract D, Block 133, of the Revised Plat of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 34, Page 40, of the Public Records of Miami-Dade County, Florida, FORMERLY KNOWN AS Lot 17, LESS the North 25 feet thereof, and the North 37.5 feet of Lot 16, Block 133, of Section 2 of Country Club Estates, according to the Plat thereof, as recorded in Plat Book 10, Page 79, of the Public Records of Miami-Dade County, Florida.

**EXHIBIT B**

**Opinion of Title**

**EXHIBIT C**

**Right-of-Ways**

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION (ALLEY)**

A PORTION OF THE 16 FOOT ALLEY IN BLOCK 133, AS SHOWN ON THE FOLLOWING TWO PLATS: SECTION 2 OF COUNTRY CUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, AT PAGE 79 AND REVISED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, AT PAGE 40, BOTH, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMERCE AT THE N.E. CORNER OF LOT 19, BLOCK 133 OF THE ABOVE NAMED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES; THENCE S02°08'17"E FOR 10.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE N87°31'12"E FOR 16.00 FEET TO A POINT ON THE EAST LINE OF SAID ALLEY; THENCE S2°08'17"E FOR 335.45 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.W. 36<sup>TH</sup> STREET, STATE ROAD 948, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 87220-2506, SHEET 7 OF 11 SHEETS; THENCE S87°29'29"W ALONG THE RIGHT-OF-WAY LINE OF SAID N.W. 36<sup>TH</sup> STREET, FOR 16.00 FEET TO A POINT ON THE WEST LINE OF SAID ALLEY, THEN N02°08'17"W ALONG THE WEST LINE OF SAID ALLEY, FOR 335.45 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 5,367 SQUARE FEET MORE OR LESS OR 0.12 ACRES MORE OR LESS.



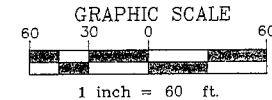
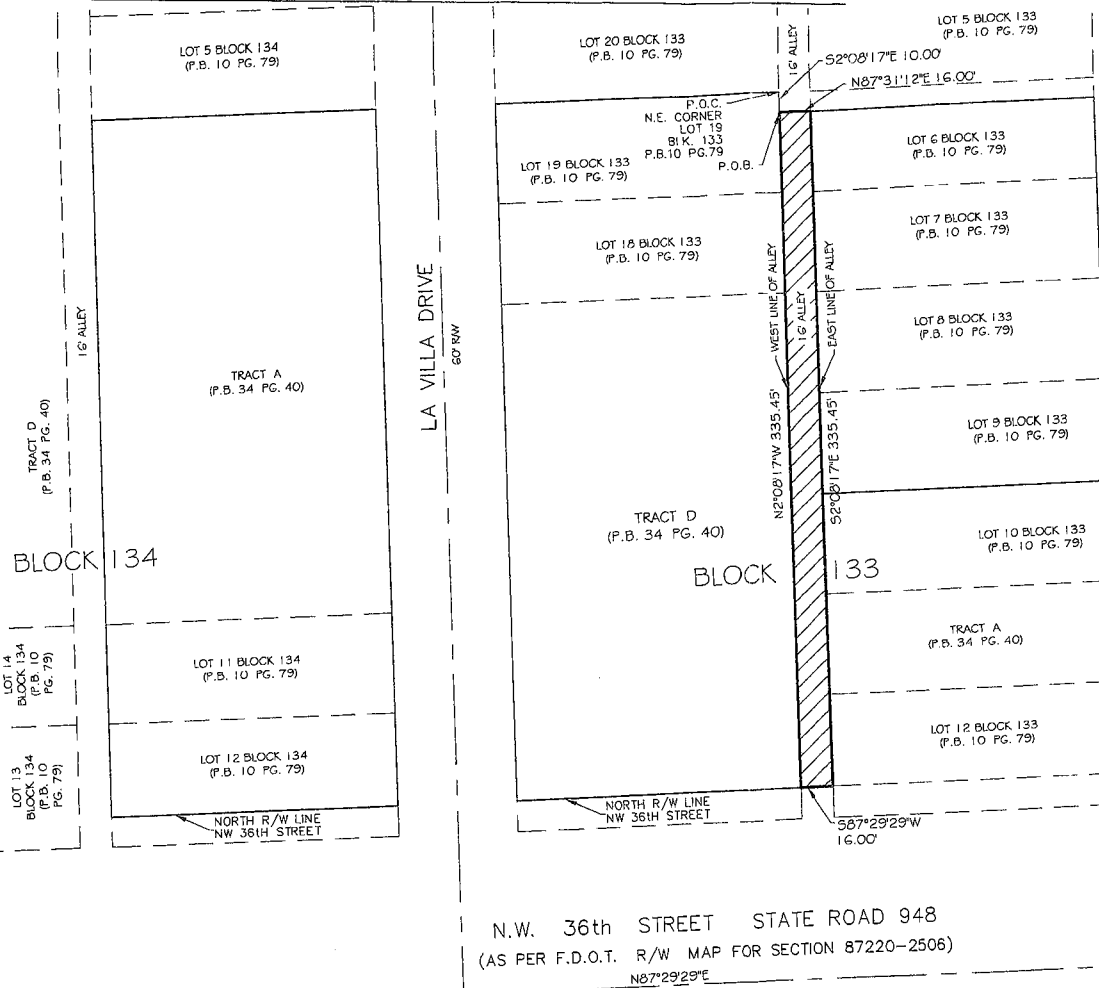
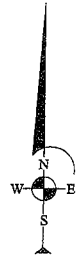
### LEGAL DESCRIPTION (LA VILLA DRIVE)

A PORTION OF THE 60 FOOT RIGHT-OF-WAY FOR LA VILLA DRIVE, AS SHOWN ON THE FOLLOWING TWO PLATS: SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, AT PAGE 79 AND REVISED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, AT PAGE 40, BOTH, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE N.E. CORNER OF TRACT A IN BLOCK 134 OF THE ABOVE NAMED PLAT OF REVISED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES; THENCE N87°29'29"E FOR 60.00 FEET TO THE N.W. CORNER OF LOT 19, BLOCK 133, OF THE ABOVE NAMED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES; THENCE S02°10'09"E ALONG THE EAST RIGHT-OF-WAY LINE OF LA VILLA DRIVE, FOR 345.52 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.W. 36th STREET, STATE ROAD 948, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 87220-2506, SHEET 7 OF 11 SHEETS; THENCE S87°27'46"W, ALONG THE RIGHT-OF-WAY LINE OF SAID N.W. 36th STREET, FOR 60.00 FEET; THENCE N02°10'09"W, ALONG THE WEST RIGHT-OF-WAY LINE OF LA VILLA DRIVE, FOR 345.55 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 20,732 SQUARE FEET MORE OR LESS OR 0.47 ACRES MORE OR LESS.

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



## LEGAL DESCRIPTION:

A PORTION OF THE 16 FOOT ALLEY IN BLOCK 133, AS SHOWN ON THE FOLLOWING TWO PLATS: SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, AT PAGE 79 AND REVISED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, AT PAGE 40, BOTH, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE N.E. CORNER OF LOT 19, BLOCK 133 OF THE ABOVE NAMED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES; THENCE S02°08'17"E FOR 10.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE N07°31'12"E FOR 16.00 FEET TO A POINT ON THE EAST LINE OF SAID ALLEY; THENCE S02°08'17"E FOR 335.45 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.W. 36th STREET, STATE ROAD 948, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 87220-2506, SHEET 7 OF 11 SHEETS; THENCE S87°29'29"W, ALONG THE RIGHT-OF-WAY LINE OF SAID N.W. 36th STREET, FOR 16.00 FEET TO A POINT ON THE WEST LINE OF SAID ALLEY; THENCE N02°08'17"W ALONG THE WEST LINE OF SAID ALLEY, FOR 335.45 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL CONTAINING 5,367 SQUARE FEET MORE OR LESS OR 0.12 ACRES MORE OR LESS.

## SURVEYOR'S REPORT:

BEARINGS SHOWN HEREON ARE BASED ON THE SYSTEM AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR S.R. 948 N.W. 36th STREET, ALONG THE SOUTH LINE OF SECTION 19-53-41, WHICH BEARS N 87°29'29" E.

THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES AND TO CHAPTER 5J-17 OF THE F.A.C.

## ABBREVIATIONS:

R/W RIGHT OF WAY  
P.B. PLAT BOOK  
PG. PAGE  
F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION  
P.O.B. POINT OF BEGINNING  
BLK. BLOCK

## SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

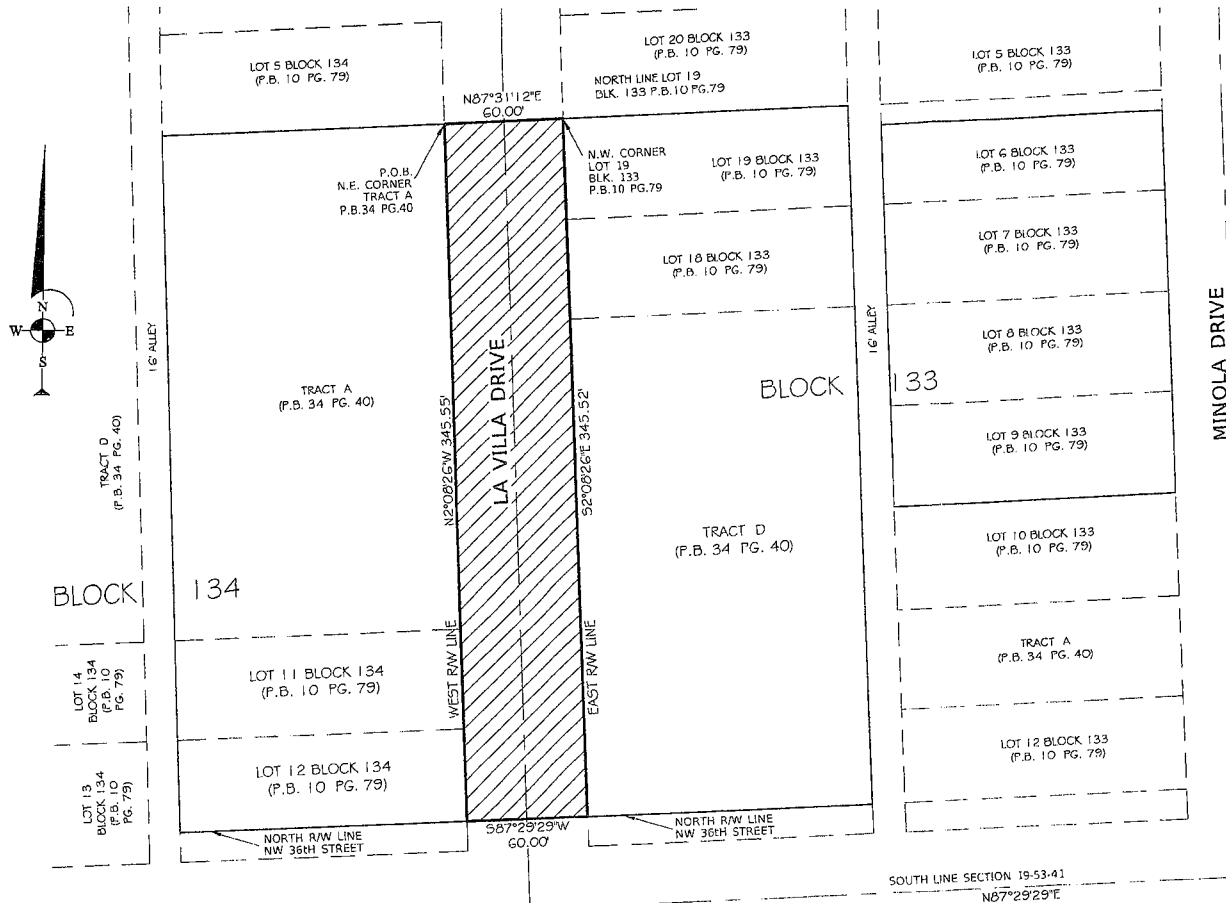
*Manuel G. Vera*  
MANUEL G. VERA  
Professional Surveyor and Mapper No. 2262  
State of Florida

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

NOT A SURVEY

MANUEL G. VERA & ASSOCIATES, INC.			DATE:	REVISIONS:
ENGINEERS SURVEYORS MAPPERS			05-23-15	UPDATE LEGAL DESCRIPTION
13900 NW 47th Street, Miami, FL 33155 Phone (305) 221-6210 P.O. BOX 890578 Miami, FL 33208 Fax (305) 221-1203 www.mgvera.com			09-23-15	REVISE AS REQ. BY THE CLIENT AND THE CITY
SKETCH TO ACCOMPANY LEGAL DESCRIPTION			DATE	DRAWN BY
			01-08-15	S.N.
			SCALE	F.B. - PG.
			1"=60'	
			JOB No.	
			14-05-40	
			14-096	

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



## LEGAL DESCRIPTION:

A PORTION OF THE 60 FOOT RIGHT-OF-WAY FOR LA VILLA DRIVE, AS SHOWN ON THE FOLLOWING TWO PLATS: SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, AT PAGE 79 AND REVISED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, AT PAGE 40, BOTH, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF TRACT A IN BLOCK 134 OF THE ABOVE NAMED PLAT OF REVISED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES; THENCE N87°31'12"E FOR 60.00 FEET TO THE N.W. CORNER OF LOT 19, BLOCK 133, OF THE ABOVE NAMED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES; THENCE S02°08'26"E ALONG THE EAST RIGHT-OF-WAY LINE OF LA VILLA DRIVE, FOR 345.52 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.W. 36th STREET, STATE ROAD 948, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 87220-2506, SHEET 7 OF 11 SHEETS; THENCE S87°29'29"W, ALONG THE RIGHT-OF-WAY LINE OF SAID N.W. 36th STREET, FOR 60.00 FEET; THENCE N02°08'26"W, ALONG THE WEST RIGHT-OF-WAY LINE OF LA VILLA DRIVE, FOR 345.55 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL, CONTAINING 20,732 SQUARE FEET MORE OR LESS OR 0.47 ACRES MORE OR LESS.

## SURVEYOR'S REPORT:

BEARINGS SHOWN HEREON ARE BASED ON THE SYSTEM AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR S.R. 948 N.W. 36th STREET, ALONG THE SOUTH LINE OF SECTION 19-53-41, WHICH BEARS N 87°29'29" E.

THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES AND TO CHAPTER 5J-17 OF THE F.A.C.

## ABBREVIATIONS:

R/W RIGHT OF WAY  
P.B. PLAT BOOK  
PG. PAGE  
F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION  
P.O.B. POINT OF BEGINNING  
BLK BLOCK

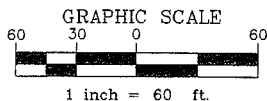
N.W. 36th STREET STATE ROAD 948  
(AS PER F.D.O.T. R/W MAP FOR SECTION 87220-2506)

## SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Manuel G. Vera*  
MANUEL G. VERA  
Professional Surveyor and Mapper No. 2262  
State of Florida

NOT A SURVEY



NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

<b>MANUEL G. VERA &amp; ASSOCIATES, INC.</b> ENGINEERS SURVEYORS MAPPERS 13980 SW 47th Street, Miami, FL 33155 Phone (305) 221-4210 P.O. BOX 690570 Miami, FL 33266 Fax (305) 221-1295 www.mvpa.com		DATE:	REVISIONS:			
		09-23-15	UPDATE LEGAL DESCRIPTION			
<b>SKETCH TO ACCOMPANY LEGAL DESCRIPTION</b>		DATE:	DRAWN BY:	SCALE:	F.B. - PG.	JOB No.
		01-08-15	S.N.	1"=50'		14-05-10 14-055



## ***City of Miami Springs, Florida***

The **Zoning and Planning Board** met in Regular Session on Monday, April 4, 2016 in the Council Chambers at City Hall following the Board of Adjustment meeting.

### **1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 6:52 p.m.

Present were: Chairman Manuel Pérez-Vichot  
Vice Chair Ernie Aloma  
Bill Tallman  
Juan Molina  
Alejandro Gonzalez

Absent: Bob Calvert

Also Present: Councilwoman Roslyn Buckner  
City Attorney Jan K. Seiden  
Planning and Zoning Director Chris Heid  
Board Secretary Juan D. Garcia

### **2) APPROVAL OF MINUTES OF REGULAR MEETING:**

Minutes of the January 4, 2015 meeting were approved as written.

**Board member Tallman moved to approve the minutes as written. Board member Molina seconded the motion, which passed unanimously on voice vote.**

### **3) SWEARING IN OFF ALL WITNESS AND ZONING AND PLANNING DIRECTOR**

Board Secretary Garcia swore in the Zoning and Planning Director, the applicants or representatives of the applicants who would testify should the Board have any questions.

#### **4) NEW BUSINESS**

- A) CASE # 02-ZP-16  
SUCRE, LLC  
4949 N.W. 36 STREET  
ZONING: NW 36  
LOT SIZE: 151,059 SQ. FT.**

Applicant is requesting the vacation of certain rights-of-way.

Zoning and Planning Director Heid read his recommendation to the Board. In his recommendation, Zoning and Planning Director Heid noted that this item had been approved by the Board of Adjustment in August with the condition of using a Unity of Title. This item is back in front of the Board because the applicant is requesting to use a Covenant-in-Lieu of the Unity of Title.

Chair Pérez-Vichot mentioned that the difference with the Unity of Title and the Covenant is that in a Unity of Title you are unifying all the parcels of land into one title. In a Covenant-in-Lieu of Unity of Title the property owner is able sell or finance separate components of the project.

City Attorney Seiden explained that a Unity of Title was originally agreed upon by the applicant when they first came in front of the Board, but since then have decided not to go forth with this condition. The applicant has decided to appear again in front of the Board of Adjustment in hope of an approval of the vacation of rights-of-way with the condition of a Covenant-in-Lieu of a Unity of Title.

Chair Pérez-Vichot noted that there are signs on the Valero Gas Station side of the property that the Fire Department put up that read "Do Not Enter". He asked if there would be an issue with the Fire Department and alley vacation. City Attorney Seiden responded by reminding the Board that another condition that was already agreed upon at the previous meeting is that the applicant would contact all the proper agencies (FDOT, Miami-Dade Fire Rescue, etc.) to notify them of the project if it was to be approved.

Santiago Echemendia, of the law firm of Shutts and Bowen, was present to represent the property owner and to answer any questions from the Board. Mr. Echemendia handed out a packet to the Board members, the City Attorney and Zoning and Planning Director Heid. Mr. Echemendia then proceeded to go through each document that was included in the packet. Mr. Echemendia explained to the Board that a Covenant-in-Lieu has been successfully utilized for over thirty years and has achieved its intended goal of fully recognizing the zoning site plan of a parcel of land and permitting additional financing options, such as sale, mortgaging, grants, etc., which would have run afoul of the terms of a Unity of Title. He then read the eight proposed conditions of approval that were recommended by Zoning and Planning Director Heid, with the second condition changed from Unity of Title to a Covenant.

Vice Chair Aloma voiced his concern with a statement that Mr. Echemendia made regarding why the applicant has chosen to revise their request. He wanted to know why the applicant didn't bring up the Covenant-in-Lieu of a Unity of Title when this project was first introduced to the Board seven months ago. He added

that this could have saved them a lot of time and it could have been addressed prior to this meeting.

Chair Pérez-Vichot asked the City Attorney to clarify what the Board will be voting on. City Attorney Seiden explained that the applicant is back in front of the Board with a revised request to vacate the alley and the abandonment of the street just as before, but in this case based upon the condition of using a Covenant-in-Lieu of Unity of Title.

At this time Chair Pérez-Vichot invited any member of the audience to speak. Eric Davendorf, 617 La Villa Drive, addressed the Board notifying them of his concerns for the vacation of the alley. Mr. Davendorf mentioned that he uses the alley to drive his trailer, which he loads with his motorcycle and Jet Ski, out of his property. He added that it is a large trailer and it would be difficult to load it any other way.

City Attorney Seiden let Mr. Davendorf know that there were still many steps in this process. He added that nothing had been done yet and advised Mr. Davendorf to voice his concerns to the City Council if this item is brought before them.

Discussion ensued regarding the process that will take place after the Board votes on this item.

Board member Tallman commented that he had an issue with all the information that was brought by the applicant before the Board at the last minute without any chance to review it prior to meeting. He added that because this information is new, he feels pressed to make a responsible recommendation on whether to move forward with a Covenant-in-Lieu of Unity of Title.

**Vice Chair Aloma made a motion to deny the vacation of the alley and abandonment of the street with the condition of using a Covenant-in-Lieu of Unity of title. Board member Tallman seconded the motion which failed 2-3 by roll call vote. The vote was as follows: Vice Chair Aloma, Board member Tallman voting Yes; Board member Molina, Board member Gonzalez, and Chair Pérez-Vichot voting No.**

**Board member Gonzalez made a motion to approve the vacation of the alley and abandonment of the street as proposed by the applicant, with the use of a Covenant-in-Lieu of Unity of Title so long it is tied to a specific site plan, as well as the other eight conditions proposed. Board member Molina seconded the motion which passed 3-2 by roll call vote. The vote was as follows: Board member Molina, Board member Gonzalez, and Chair Pérez-Vichot voting Yes; Board member Tallman and Vice Chair Aloma voting No.**

Chair Pérez-Vichot notified the applicant's representatives that the Board of Adjustments only makes recommendations to the City Council. This item will be heard at a City Council meeting for their final approval.

**B) CASE # 03-ZP-16  
SUCRE, LLC  
4949 N.W. 36 STREET  
ZONING: NW 36  
LOT SIZE: 151,059 SQ. FT.**

Applicant is requesting site plan approval for the construction of a 90,080 square foot, 149 room hotel.

Zoning and Planning Director Heid read his recommendation to the Board.

Emmanuel Ortiz of Delant Construction Co. was present to speak to the Board about the proposed site plan. Mr. Ortiz informed the Board that he is the architect for the project. He then went through the layout of the hotel, describing the plans to the Board. Mr. Ortiz added that the Hotel will be a Wyndham Garden and it will feature a variety of green spaces as indicated on the plans. On the top floor there would be a bar/lounge area that will be called "The Pilot House". Plans are to preserve the original neon sign that is on the top of the vacant bar and display it in the new hotel. This was done to honor the City's aviation history, and was done so because the hotel will be located where the bar once was. Mr. Ortiz also mentioned that he took all of Zoning and Planning Director Heid into consideration and tried to integrate all of them into the plans.

Chair Pérez-Vichot asked if there was any further discussion or any questions from the audience and there were neither.

**Board member Molina moved to approve the site plan as long as it met the six conditions requested in the Staff Recommendation that was read by the Zoning and Planning Director. Board Member Gonzalez seconded the motion, which passed unanimously on voice vote.**

City Attorney Seiden notified the applicant's representatives that the Board of Adjustments only makes recommendations to the City Council. This item will be heard at a City Council meeting for their final approval.

**C) CASE # 04-ZP-16  
665 MOKENA PARTNERS, LLC/ STEVE MARIN  
3449 N.W. 42 AVENUE  
ZONING: ABRAHAM TRACT DISTRICT  
LOT SIZE: 80,242 SQ. FT.**

Applicant is seeking site plan approval to construct a hotel.

Zoning and Planning Director Heid read his recommendation to the Board.

Steve Marin, 665 Mokena Drive, presented the site plan for the proposed Comfort Suite Hotel. Mr. Marin mentioned that the hotel will be very similar to the three other hotels that 665 Mokena Partners, LLC has developed in the City. The hotel will have 8 floors, 120 rooms and approximately 70,000 square feet. Mr. Marin informed the Board that he has been working with Zoning and Planning Director Heid and has included the majority of his suggestions into the project.

**Board member Tallman moved to approve the site plan, subject to the seven conditions that were read in the Zoning and Planning Director's recommendation. Vice Chair Aloma seconded the motion, which passed unanimously on voice vote.**

City Attorney Seiden notified the applicant that the Board of Adjustments only makes recommendations to the City Council. This item will be heard at a City Council meeting for their final approval.

## **5) ADJOURN**

There was no further business to discuss and meeting was duly adjourned at 8:13 p.m.

Respectfully submitted:

\_\_\_\_\_  
Juan D. Garcia  
Board Secretary

Adopted by the Board on  
this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Manny Perez-Vichot, Chair

Words ~~stricken through~~ have been deleted. Underscored words represent changes. All other words remain unchanged.

\*\*\*\*\*

***"The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council".***

\*\*\*\*\*



## RESOLUTION NO. 2016 –

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS VACATING THAT CERTAIN ALLEY LOCATED BETWEEN LAVILLA DRIVE AND MINOLA DRIVE IN THE MIDDLE OF BLOCK 133 FROM N.W. 36<sup>TH</sup> STREET IN A NORTHERLY DIRECTION TO THE EXISTING CITY BARRICADES; PROVIDING FOR THE EQUAL DIVISION OF THE ALLEY AREA; DIRECTIONS TO THE CITY CLERK; EFFECTIVE DATE**

**WHEREAS**, the City and its citizens were previously dedicated that certain sixteen (16) foot alley located between LaVilla Drive and Minola Drive in the middle of block 133 from N.W. 36th Street in a northerly direction to the existing city barricades; and,

**WHEREAS**, the owners of virtually all the properties abutting and contiguous to the subject alley up to the existing barricades in Block 133 between LaVilla Drive and Minola Drive has petitioned the City to vacate the subject alley; and,

**WHEREAS**, attached hereto as Exhibit #1, and by this reference made a part hereof, is a sketch and legal description of the subject alley that is sought to be vacated; and,

**WHEREAS**, the requested alley vacation has been reviewed by the City's Administrative Staff and it has been determined that either no utilities are negatively impacted by the vacation of the subject alley or that any such utilities will be relocated and that the loss of the dedication of this alley will have no adverse impact upon the City, its operations, or its citizens; and,

**WHEREAS**, the petitioning property owner has represented to the City that it is their intention to utilize the vacated portions of the alley to become part of their development site of thirteen(13) parcels; and,

**WHEREAS**, the proposed utilization of the subject alley square footage following vacation is consistent with the City's regulations; and,

**WHEREAS**, the property owners' request for vacation has been reviewed by the City Planner and other Administrative Staff personnel, and has been presented to and discussed by the City Zoning and Planning Board and the City Council; and,

**WHEREAS**, at the presentations to the City Zoning and Planning Board and the City Council, the property owner agreed to certain and "Conditions for Vacation" of the subject alley proposed by the City Planner, to wit;

**WHEREAS**, the City Council of the City of Miami Springs has determined that it is in the best interests of the City and its citizens to vacate the subject sixteen (16) foot alley, since no utilities will be negatively impacted by the vacation or be relocated, that the loss of the subject alley will have no adverse impact upon the City, its operations, or its citizens, and the future use of the vacated property will be both proper and appropriate:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1:** That the City Council of the City of Miami Springs hereby vacates that certain sixteen (16) foot alley located between LaVilla Drive and Minola Drive in the middle of Block 133 from N.W. 36<sup>th</sup> Street in a northerly direction to the existing City barricades as is more particularly set forth and described in Exhibit #1 attached hereto, and also specifically subject to the "Conditions for Vacation" set forth in Exhibit #2 attached hereto.

**Section 2:** That it is the intention of the City Council of the City of Miami Springs that the subject alley to the barricade be divided so that each of the subject properties abutting and contiguous thereto shall each receive the eight (8) feet of the subject alley property that abuts the property line of each property.

**Section 3:** That the City Council of the City of Miami Springs hereby directs the City Clerk to provide the property owner with a certified copy of this Resolution for recording in the Public Records of Miami-Dade County.

**Section 4:** That the provisions of this Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2015, on a motion by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Vice Mayor Buckner	_____
Councilman Best	_____
Councilman Bain	_____
Councilman Petralanda	_____
Mayor Garcia	_____

\_\_\_\_\_  
Zavier M. Garcia, Mayor

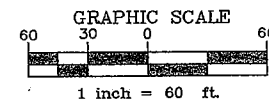
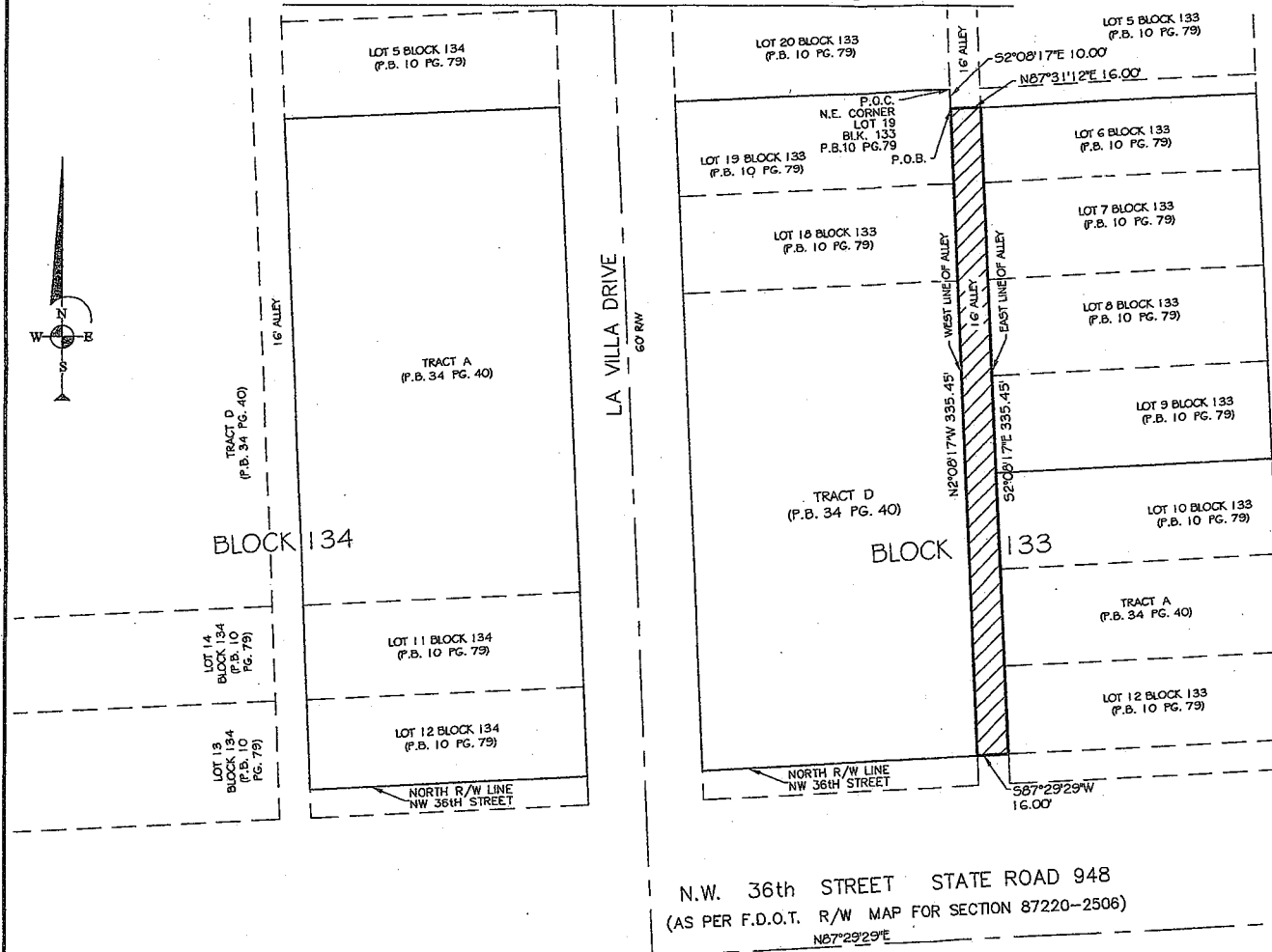
**ATTEST:**

\_\_\_\_\_  
Erika Gonzalez-Santamaria, CMC, City Clerk

**APPROVED AS TO LEGALITY AND FORM:**

\_\_\_\_\_  
Jan K. Seiden, City Attorney

## SKETCH TO ACCOMPANY LEGAL DESCRIPTION

**LEGAL DESCRIPTION:**

A PORTION OF THE 16 FOOT ALLEY IN BLOCK 133, AS SHOWN ON THE FOLLOWING TWO PLATS: SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, AT PAGE 79 AND REVISED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, AT PAGE 40, BOTH, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE N.E. CORNER OF LOT 19, BLOCK 133 OF THE ABOVE NAMED PLAT OF SECTION 2 OF COUNTRY CLUB ESTATES; THENCE S02°08'17"E FOR 10.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE N87°31'12"E FOR 16.00 FEET TO A POINT ON THE EAST LINE OF SAID ALLEY; THENCE S02°08'17"E FOR 335.45 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.W. 36th STREET, STATE ROAD 948, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 87220-2506, SHEET 7 OF 11 SHEETS; THENCE S87°29'29"W, ALONG THE RIGHT-OF-WAY LINE OF SAID N.W. 36th STREET, FOR 16.00 FEET TO A POINT ON THE WEST LINE OF SAID ALLEY; THENCE N02°08'17"W ALONG THE WEST LINE OF SAID ALLEY, FOR 335.45 FEET TO THE POINT OF BEGINNING.  
 THE ABOVE DESCRIBED PARCEL CONTAINING 5,367 SQUARE FEET MORE OR LESS OR 0.12 ACRES MORE OR LESS.

**SURVEYOR'S REPORT:**

BEARINGS SHOWN HEREON ARE BASED ON THE SYSTEM AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR S.R. 948 N.W. 36th STREET, ALONG THE SOUTH LINE OF SECTION 19-53-41, WHICH BEARS N 87°29'29" E.

THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES AND TO CHAPTER 5J-17 OF THE F.A.C.

**ABBREVIATIONS:**

R/W RIGHT OF WAY  
 P.B. PLAT BOOK  
 PG. PAGE  
 F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION  
 P.O.B. POINT OF BEGINNING  
 BLK BLOCK

**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY THAT THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Manuel G. Vera*  
 MANUEL G. VERA  
 Professional Surveyor and Mapper No. 2262  
 State of Florida

N.W. 36th STREET STATE ROAD 948  
 (AS PER F.D.O.T. R/W MAP FOR SECTION 87220-2506)  
 N67°29'29"E

NOT A SURVEY

<b>MANUEL G. VERA &amp; ASSOCIATES, INC.</b>		DATE: 09-23-15		REVISIONS:	
ENGINEERS SURVEYORS MAPPERS		09-23-15		UPDATE LEGAL DESCRIPTION	
12960 SW 47th Blvd. Miami, FL 33155 Phone (305) 221-6210		09-23-15		REVISE AS REQ. BY THE CLIENT AND THE CITY	
P.O. BOX 580578 Miami, FL 33258 Fax (305) 221-1255		DATE: 01-08-15		DRAWN BY: S.J.N.	
www.mgvera.com email: man@mgvera.com		SCALE: 1"=50'		F.B.-PG. 14-55-40	
SKETCH TO ACCOMPANY LEGAL DESCRIPTION				JOB NO. 14-55-40	
				14-55-40	

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

## **Exhibit #2**

### **Conditions for Street Abandonment**

1. Any utilities currently located within the abandoned street and vacated alley must be relocated at the applicant's expense, in a location and manner to be approved by the City.
2. A six foot high CBS wall shall be constructed along the north property line.
3. A Covenant-in-Lieu of Unity of Title shall be executed in substantially similar form as that submitted as part of the record. The Covenant-in Lieu of Unity of Title shall be recorded by the applicant with the Miami-Dade County Clerk's Office.
4. Approval for the vacations must be obtained from Miami-Dade County and the Florida Department of Transportation, and Miami-Dade Fire Department, as applicable.
5. An Opinion of Title must be submitted for the review and approval of the City.
6. A cross-access, cross-parking agreement shall be submitted for all common areas of the unified site plan, in a form and manner to be approved by the City.
7. A property owner's association shall be created among all owners that is responsible for upkeep and maintenance of all common areas, in a form and manner to be approved by the City.
8. Applicant must agree to a unified development that utilizes the full development site in a manner consistent with the site plan entitled "Miami Springs Development – Overall Site Plan," prepared by EOF Designs and dated March 31, 2016. Any substantial deviation from the site plan must be approved by the City Council at a public hearing. Minor deviations from the site plan may be addressed administratively. What constitutes substantial and minor deviations is at the sole discretion of the City.

**RESOLUTION NO. 2016 –**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MIAMI SPRINGS ABANDONING  
THAT CERTAIN PORTION OF LAVILLA DRIVE  
LOCATED BETWEEN N.W. 36<sup>TH</sup> STREET AND  
THE CITY BARRICADES IN THE  
APPROXIMATE MIDDLE OF LAVILLA DRIVE  
FROM NORTHWEST 36<sup>TH</sup> STREET IN A  
NORTHERLY DIRECTION TO THE EXISTING  
CITY BARRICADES; PROVIDING FOR THE  
EQUAL DIVISION OF LAVILLA DRIVE AREA;  
DIRECTIONS TO THE CITY CLERK;  
EFFECTIVE DATE**

**WHEREAS**, the City and its citizens were previously dedicated that roadway commonly known as LaVilla Drive which begins at N.W. 36<sup>th</sup> Street and continues in a northern direction into the municipal boundaries of the City; and,

**WHEREAS**, the City previously installed barricades in the approximate middle of LaVilla Drive as it proceeded northerly into the City; and,

**WHEREAS**, the owners of all the real property contiguous to the barricaded portion of LaVilla Drive has petitioned the City to abandon that portion of LaVilla Drive from N.W. 36<sup>th</sup> Street in a northerly direction to the existing City barricades; and,

**WHEREAS**, attached hereto as Exhibit #1, and by this reference made a part hereof, is a sketch and legal description of that portion of LaVilla Drive that is sought to be abandoned ; and,

**WHEREAS**, the requested street abandoned has been reviewed by the City's Administrative Staff and it has been determined that either no utilities are negatively impacted by the vacation of the subject alley or that all such utilities will be relocated by the petitioning party and that the loss of the dedication of this portion of LaVilla Drive will have no adverse impact upon the City, its operations, or its citizens; and,

**WHEREAS**, the petitioning property owner has represented to the City that it is their intention to utilize the abandoned portion of the street to become part of their development site of thirteen (13) parcels; and,

**WHEREAS**, the proposed utilization of the subject street abandonment square footage would be consistent with the City's regulations; and,

**WHEREAS**, the property owner's request for street abandonment has been reviewed by the City Planner and other Administrative Staff personnel, and has been presented to and discussed by the City Zoning and Planning Board and the City Council; and,

**WHEREAS**, at the presentations to the City Zoning and Planning Board and the City Council, the property owner agreed to certain "Conditions for Street Abandonment" proposed by the City Planner, which are attached hereto as Exhibit #2, to wit; and,

**WHEREAS**, the City Council of the City of Miami Springs has determined that it is in the best interests of the City and its citizens to abandon that portion of LaVilla Drive previously described herein, since no utilities will be negatively impacted by the abandonment or be relocated, that the loss of the barricaded portion of LaVilla Drive will have no adverse impact upon the City, its operations, or its citizens, and the future use of the abandoned street will be both proper and appropriate:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1:** That the City Council of the City of Miami Springs hereby abandons that portion of LaVilla Drive from N.W. 36<sup>th</sup> Street in a northerly direction to the existing City barricades as is more particularly set forth and described in Exhibit #1 attached hereto, and also specifically subject to the "Conditions for Street Abandonment" set forth in Exhibit #2 attached hereto.

**Section 2:** That it is the intention of the City Council of the City of Miami Springs that the subject LaVilla Drive roadway be divided so that each of the properties contiguous to the roadway shall each receive an equal portion of the subject roadway property.

**Section 3:** That the City Council of the City of Miami Springs hereby directs the City Clerk to provide the property owner with a certified copy of this Resolution for recording in the Public Records of Miami-Dade County.

**Section 4:** That the provisions of this Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2015, on a motion by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Vice Mayor Bain	_____
Councilman Best	_____
Councilwoman Buckner	_____
Councilman Petralanda	_____
Mayor Garcia	_____

\_\_\_\_\_  
Zavier M. Garcia, Mayor

**ATTEST:**

\_\_\_\_\_  
Erika Gonzalez-Santamaria, CMC, City Clerk

**APPROVED AS TO LEGALITY AND FORM:**

\_\_\_\_\_  
Jan K. Seiden, City Attorney





## **Exhibit #2**

### **Conditions for Street Abandonment**

1. Any utilities currently located within the abandoned street and vacated alley must be relocated at the applicant's expense, in a location and manner to be approved by the City.
2. A six foot high CBS wall shall be constructed along the north property line.
3. A Covenant-in-Lieu of Unity of Title shall be executed in substantially similar form as that submitted as part of the record. The Covenant-in Lieu of Unity of Title shall be recorded by the applicant with the Miami-Dade County Clerk's Office.
4. Approval for the vacations must be obtained from Miami-Dade County and the Florida Department of Transportation, and Miami-Dade Fire Department, as applicable.
5. An Opinion of Title must be submitted for the review and approval of the City.
6. A cross-access, cross-parking agreement shall be submitted for all common areas of the unified site plan, in a form and manner to be approved by the City.
7. A property owner's association shall be created among all owners that is responsible for upkeep and maintenance of all common areas, in a form and manner to be approved by the City.
8. Applicant must agree to a unified development that utilizes the full development site in a manner consistent with the site plan entitled "Miami Springs Development – Overall Site Plan," prepared by EOF Designs and dated March 31, 2016. Any substantial deviation from the site plan must be approved by the City Council at a public hearing. Minor deviations from the site plan may be addressed administratively. What constitutes substantial and minor deviations is at the sole discretion of the City.

# **LICENSE AGREEMENT**

**THIS LICENSE AGREEMENT** is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the **CITY OF MIAMI SPRINGS**, a Florida Municipal Corporation, hereinafter referred to as "City" and **SPRINGS ON THE GREEN, LLC.**, a Florida Limited Liability Corporation, hereinafter referred to as "Springs";

## **WITNESSETH:**

**WHEREAS**, Springs on the Green, LLC., has approached the City to solicit authorization to utilize a small parking lot area owned by the City which adjoins the parking lot of a property recently purchased by Springs at 627 Eldron Drive, a site plan of the parking lot is attached hereto as Exhibit "A"; and,

**WHEREAS**, it has been represented to the City that Springs will improve, illuminate, landscape and maintain the proposed licensed parking area; and,

**WHEREAS**, Springs has also agreed to fully insure the entire parking area adjacent to its new office building, including the proposed licensed parking area, and to indemnify and hold the City harmless during its use of the parking area; and,

**WHEREAS**, the City Council of the City of Miami Springs has reviewed and discussed the proposal of Springs and has determined that, subject to the terms and conditions of this License Agreement, it is in the best interests of the city and its citizens to authorize the usage of the small city owned parking area by Springs for the limited purposes represented to the City:

**NOW, THEREFORE,** in consideration of the mutual covenants contained herein, the mutual sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

### **RECITALS**

The parties hereto acknowledge and agree that the recitals previously set forth herein are true and correct and may be relied upon by either party.

### **GRANT OF LICENSE**

The City of Miami Springs hereby grants to Springs on the Green, LLC., a license to utilize the small parking lot area, owned by the City and identified on Exhibit "A" attached hereto, as part of the parking lot to be provided for use in the operation of its adjacent business office.

### **ACCEPTANCE OF LICENSE**

Springs on the Green, LLC. hereby accepts the license granted by the City for the use of the City's small parking lot identified on Exhibit "A" attached hereto.

### **TERM OF LICENSE**

This License Agreement shall begin on June 13, 2016 and continue through May 31, 2021.

### **RENEWAL OF LICENSE**

This License Agreement may be renewed upon the termination of this Agreement upon the mutual consent and agreement of the parties hereto.

### **TERMINATION OF LICENSE**

This License Agreement may be terminated by either party hereto, without cause, by providing the other party written notice thereof by certified mail, return receipt requested, or by hand delivery, to be effective ninety (90) days from receipt of said written notice.

Notwithstanding the foregoing, the terms and conditions of this provision shall not be effective until after the initial eighteen (18) months of this Agreement.

### **USE AND OPERATION OF THE LICENSED PREMISES**

Springs on the Green, LLC. agrees to improve, illuminate, landscape and maintain the licensed parking lot area during the term hereof. In addition to the foregoing, Springs further agrees to allow the City the unrestricted use of the subject area for all appropriate City uses and activities.

### **LICENSEE FEE**

Springs shall not be required to pay the City any fees for this agreement, which requires Springs to fully maintain and insure the licensed premises as compensation to the City.

### **ASSIGNMENT/SUBLICENSE**

This License Agreement is not assignable and Springs shall not be permitted to sublicense or transfer the use of the City's small parking lot area authorized by this Agreement.

### **INSURANCE**

Springs shall be required to obtain general liability insurance coverage in the amount of One Million (\$1,000,000) Dollars prior to the commencement of any usage of the licensed premises. The insurance coverage must be provided by a carrier approved by the City, authorized to issue coverage in the State of Florida, and rated B+ by the latest A.M. Best Key Rating Guide of insurance companies. The City shall be provided with an insurance certificate specifying it as an additional insured with respect to the operation of Springs and its use of the licensed premises hereof.

### **HOLD HARMLESS AND INDEMNIFICATION**

In addition to the insurance coverage provided to the City, Springs shall hold the City, including its officials, employees and representatives, harmless and indemnify it against all claims, demands, damages, actions, causes of actions, liability, costs, expenses, and attorney's fees arising out of, or resulting from, injury to or death of persons, or damage to or loss of property, sustained on or about the licensed premises, arising from the management services, acts, actions, omissions or failures to act of Springs or of any of its employees, agents, representatives, invitees, or guests. Additionally, the protections

provided by this provision shall also include any costs, expenses, or legal fees the City may incur in establishing that the Springs or its insurer are responsible to provide protection, coverage, and representation to the City, its officials, employees, and representatives for any incident that may occur during the term hereof.

### **RELATIONSHIP OF PARTIES**

The parties hereto mutually acknowledge and agree that there is no business relationship between the City and Springs. It is further acknowledged that the operation of Springs is within the sole and exclusive discretion of Springs and that Springs is not an agent, representative, partner, employee or associate of the City.

### **PROHIBITED ACTIVITIES**

Springs shall not use the premises for any unlawful purpose and shall comply with all laws and permitting requirements applicable now, or in the future, to the operation of the licensed premises. Springs shall not permit any offensive, or dangerous activity, nor any nuisance or other conduct in violation of the public policy of the City, county or state on the licensed premises.

### **NON-DISCRIMINATORY PRACTICES**

In the operation of the licensed premises, all management and operational services, including those activities related to direct contact with the public, and those involving the hiring, treatment and advancement of employees, Springs shall not discriminate in any

manner based upon race, color, creed, religion, ancestry, national origin, gender, age, physical/mental handicap or in any other manner.

### **CORPORATE STATUS**

Prior to the commencement of any usage of the licensed premises, Springs shall provide the City with a copy of its Articles of Incorporation and a current Corporate Status Certificate.

### **ATTORNEY'S FEES**

The parties hereto acknowledge and agree that should it become necessary for either party to this Agreement to bring suit to enforce any provisions hereof, or for damages on account of any breach of this agreement, the prevailing party on any issue in any such litigation, and any appeals therefrom, shall be entitled to recover from the other party, in addition to any damages or other relief granted as a result of such litigation, all costs and expenses of such litigation and a reasonable attorney's fee as may be awarded by the court.

### **NOTICES TO PARTIES**

All notices required or desired to be given under this Agreement shall be in writing and delivered in person or transmitted by Certified Mail, return receipt requested, postage prepaid, addressed to the party to be noticed, and shall be deemed to have been delivered three (3) days after deposit in a post office or letter box in the above manner.

**NOTICES TO BE GIVEN TO CITY SHALL BE ADDRESSED AS FOLLOWS:**

CITY OF MIAMI SPRINGS  
Attention: Ronald K. Garland, City Manager  
201 Westward Drive  
Miami Springs, FL 33166

**NOTICES TO BE GIVEN TO SPRINGS SHALL BE ADDRESSED AS FOLLOWS:**

Springs on the Green, LLC.  
Attention: Manuel Perez-Vichot  
1056 Hunting Lodge Drive  
Miami Springs, FL 33166

**CAPTIONS**

All captions in this Agreement are included for convenience only and are not to be taken into consideration in any construction or interpretation of this Agreement or any of its provisions.

**TIME**

Time is of the essence as to each term of this Agreement.

**GOVERNING LAW**

This Agreement and the rights and liabilities of the parties to this Agreement shall be governed by the laws of the State of Florida. If any provision of this Agreement is invalidated by judicial decision or statutory enactment, the invalidity of any such provision



will not affect the validity of any other provision of the Agreement.

### **ENTIRE AGREEMENT**

This Agreement, together with any Exhibits hereto, constitute the entire Agreement between the parties relating to the subject matter hereof. This Agreement is the final expression of agreement between the parties hereto. Neither party shall be entitled to rely upon any conflicting oral representations, assurances, claims or disclaimers, made either prior to, or simultaneous with, the execution of this Agreement.

**IN WITNESS WHEREOF**, Springs and the City have set their hands and seals on the day and year first above written.

**THIS SPACE INTENTIONALLY LEFT BLANK**

WITNESSES:

\_\_\_\_\_

Print Name

\_\_\_\_\_

Print Name

**SPRINGS ON THE GREEN, LLC.**  
**A Florida Limited Liability Corporation**

**By:** \_\_\_\_\_  
Manuel Perez-Vichot, Manager

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ d a y of \_\_\_\_\_ 2016, by Manuel Perez-Vichot, Manager of Springs on the Green, LLC., a Florida Limited Liability Corporation, on behalf of the Corporation. He is personally known to me, or has produced \_\_\_\_\_ (type of identification) as identification and did (did not) taken an oath.

\_\_\_\_\_  
Notary Public, State of Florida

\_\_\_\_\_  
Print, Type or Stamp Name of Notary Public

d point

**City of Miami Springs,  
A Florida Municipal Corporation**

WITNESSES:

\_\_\_\_\_

Print Name

\_\_\_\_\_

Print Name

**By:** \_\_\_\_\_  
Ronald K. Gorland, City Manager

**Attest:** \_\_\_\_\_  
Erika Gonzalez-Santamaria, City Clerk

STATE OF FLORIDA

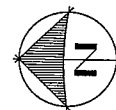
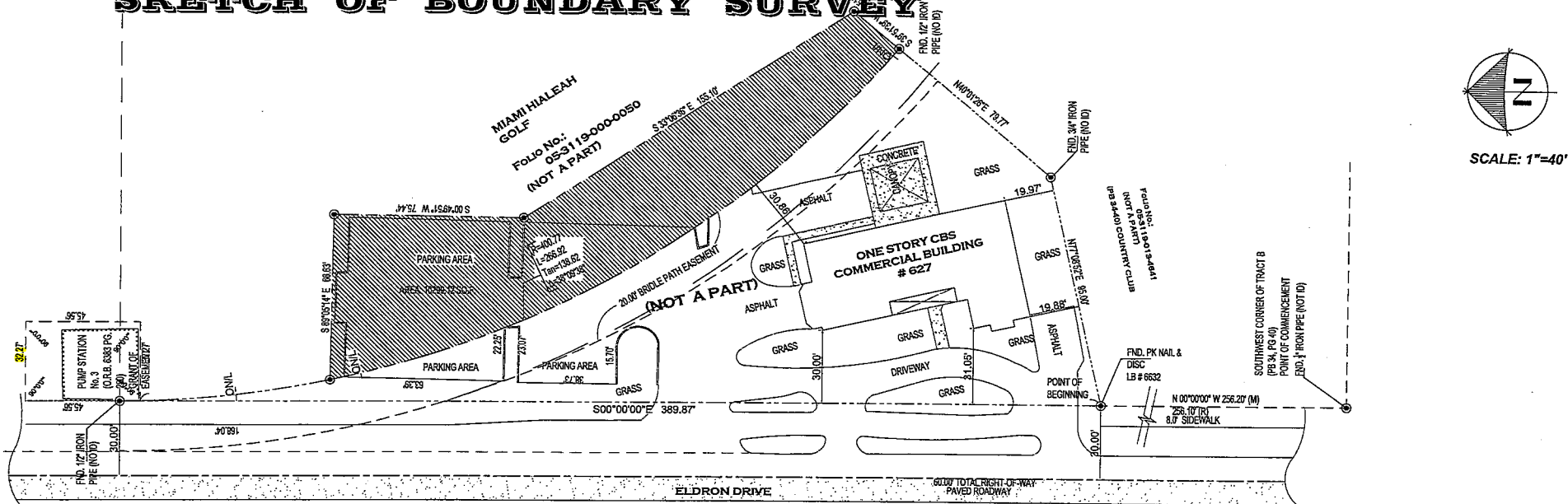
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2016, by Ronald K. Gorland, City Manager and Erika Gonzalez-Santamaria, City Clerk of the City of Miami Springs, a Florida Municipal Corporation. They are personally known to me, or have produced \_\_\_\_\_ (type of identification) as identification and did (did not) taken an oath.

\_\_\_\_\_  
Notary Public, State of Florida

\_\_\_\_\_  
Print, Type or Stamp Name of Notary Public

# SKETCH OF BOUNDARY SURVEY



SCALE: 1"=40'

## LEGAL DESCRIPTION:

A PORTION OF TRACT "B", BLOCK 140 OF "REVISED PLAT OF SECTION 2, COUNTRY CLUB ESTATES" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34, AT PAGE 40, OF PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA: COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT "B", THENCE NORTH ALONG THE WEST LINE OF SAID TRACT "B", A DISTANCE OF 256.10 FEET; THENCE N 77°08'52"E A DISTANCE OF 95.00 FEET; THENCE N40°01'26"E, A DISTANCE OF 79.77 FEET TO A POINT ON CURVE CONCAVE TO THE NORTHEASTERLY HAVING A RADIUS OF 400.78 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE A DISTANCE OF 266.92 FEET, AND THROUGH A CENTRAL ANGLE OF 38°09'38", TO THE INTERSECTION OF THE WEST OF SAID TRACT "B"; THENCE S89°05'14"E FOR A DISTANCE OF 66.63 FEET TO A POINT; THENCE S 00°49'51"W FOR A DISTANCE OF 75.44 FEET TO A POINT; THENCE S33°06'36"E FOR A DISTANCE OF 155.10 FEET TO A POINT THENCE S39°51'39"W FOR A DISTANCE OF 23.51 FEET TO THE POINT OF BEGINNING AND CONTAINS 10299.12 SQUARE FEET OR 0.23644 ACRES

## SURVEYOR'S NOTES:

- 1.) EXAMINATION OF ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THIS PROPERTY.
- 2.) LOCATION AND IDENTIFICATION OF UTILITIES IF ANY ARE SHOWN IN ACCORDANCE WITH RECORDED PLAT.
- 3.) OWNERSHIP IS SUBJECT TO OPINION OF TITLE.
- 4.) TYPE OF SURVEY: BOUNDARY SURVEY.
- 5.) THIS SURVEY IS NOT VALID UNLESS SIGNED AND SEALED BY THE SURVEYOR OF RECORD.
- 6.) ALL RIGHT OF WAYS SHOWN ARE PUBLIC UNLESS OTHERWISE NOTED.
- 7.) LANDS SURVEYED AS DESCRIBED.
- 8.) NO UNDERGROUND INSTALLATIONS ON IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS NOTED.

NOTE: THIS SURVEY HAS BEEN PREPARED FOR EXCLUSIVE USE OF THE ENTITIES NAMED HEREON. THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTY.

## FLOOD ZONE INFORMATION

Community Number	Panel Number	Suffix	Date of Firm Index	Firm Zone	Base Flood Elev.
150653	00291	L	09-11-2009	X	N/A

SOURCE ELEVATION PROVIDED BY MIAMI-DADE COUNTY SURVEY DEPARTMENT  
RELATIVE TO MEAN SEA LEVEL NATIONAL GEODETIC VERTICAL DATUM OF 1929  
LOCATOR INDEX BENCHMARK NO. B-4003 ELEVATION: 11.63'

## "LEGEND"

P.R.M. - PERMANENT REFERENCE MONUMENT	U.E. - UTILITY EASEMENT
P.C.P. - PERMANENT CONTROL POINT	W.F. - WOOD FENCE
F.I.P. - FOUND IRON PIPE	M. - MEASURE
S.I.P. - SET IRON PIPE 1/2" STAMPED	R. - RECORD
F.D.H. - FOUND DRILL HOLE	S.A.D. - SET NAIL & DISC STAMPED P.L.S.
S.D.H. - SET DRILL HOLE	F.N.D. - FOUND NAIL & DISC
C.L. - CENTER LINE	C.B.S. - CONCRETE BLOCK STRUCTURE
R.S. - RESIDENCE	ENC. - ENCROACHMENT
L.F.E. - LOWEST FLOOR ELEVATION	R.W. - RIGHT OF WAY
F.F.E. - FINISH FLOOR ELEVATION	C.L. - CLEAR
C.L.F. - CHAIN LINK FENCE	

## ROBERTO R. BRIZUELA & ASSOCIATES Land Surveyors

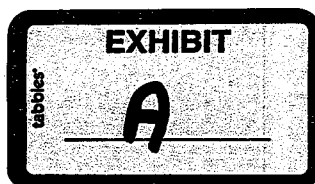
OFFICE:  
7319 WEST FLAGLER STREET  
MIAMI, FLORIDA 33144

PHONE: (305) 551-4393  
FAX: (305) 266-6112

JOB NUMBER: 12-01-002A  
FIELD BOOK: \_\_\_\_\_  
FIELD WORK DATE: 09-24-2013  
REVISIONS 1: \_\_\_\_\_  
REVISIONS 2: \_\_\_\_\_  
REVISIONS 3: \_\_\_\_\_

I HEREBY CERTIFY: THAT THE ATTACHED "SKETCH OF SURVEY" OF THE ABOVE DESCRIBED PROPERTY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY SURVEYED UNDER MY DIRECTION, AND THAT THERE ARE NO ENCROACHMENTS OTHER THAN THOSE SHOWN, AND MEETS THE INTENT OF THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS IN CHAPTER 61 G 17 OF FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.022 FLORIDA STATUTES.

**ROBERTO R. BRIZUELA**  
PROFESSIONAL LAND SURVEYOR  
No. 3064  
STATE OF FLORIDA





# AGENDA MEMORANDUM

**Meeting Date:** 6/13/2016

**To:** The Honorable Mayor Xavier Garcia and Members of the City Council

**Via:** Ron Gorland, City Manager

**From:** Tom Nash, Public Works Director

**Subject:** Emergency Sidewalk Repairs

## RECOMMENDATION:

Recommendation by Public Works that Council authorize the issuance and/or execution of a contract to Wrangler Construction, Inc., utilizing Miami Dade County contract # RPQ # 20140183 (attached), in an amount not to exceed \$15,400.00, for sidewalks repairs at various locations throughout the city, pursuant to Section §31.11 (E)(5) of the City Code.

**DISCUSSION:** Emergency sidewalk repairs are causing trip hazards that need to be repaired at 1501 Lenape Dr., 1230 NRP, 1216 Ibis Ave, 600 Lawn Way, 565 South Dr., 632 South Dr., 599 Lee Dr., 1099 Oakwood & middle school area on Oakwood. Some pictures are attached.

**Submission Date and Time:** 6/8/2016 8:33 AM

<u>Submitted by:</u>	<u>Approved by (sign as applicable):</u>	<u>Funding:</u>
Department: <u>Public Works</u>	Dept. Head: <u>[Signature]</u>	Dept./ Desc.: <u>Citizens Independent Trans. Trust</u>
Prepared by: <u>Rosita Hernandez</u>	Procurement: <u>[Signature]</u>	Account No.: <u>135-0902-541-4600</u>
Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Asst. City Mgr.: <u>[Signature]</u>	Additional Funding: _____
Budgeted/ Funded: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Manager: <u>[Signature]</u>	Amount previously approved: \$ _____
		Current request: \$ <u>15,400.00</u>
		Total Vendor amount: \$ <u>15,400.00</u>

# WRANGLER CONSTRUCTION, INC.

June 7, 2016

Mr. Lazaro Garaboa.

Via E-mail: [garaboal@miamisprings-fl.gov](mailto:garaboal@miamisprings-fl.gov)

Re: 1501 Lenape Dr., 1230 North Royal Poinciana, 1216 Ibis Ave., 600 Lawn Way,  
565 South Dr., 632 South Dr., 599 Lee Dr., 1099 Oakwood and Middle School on  
Oakwood.  
Miami Springs, FL.

Subject: **Concrete sidewalks emergency repairs at several locations.**

Dear Mr. Garaboa:

Please consider this correspondence as our Proposal for the Labor Material and Equipment needed for the completion of the **4" and 6" concrete sidewalks emergency repairs** at the referenced locations. All construction will be in accordance with the information provided during the site visit.

This Proposal is based only on a site visit. No Drawings and/or Technical Specifications were provided.

## **ARTICLE 1 - BASE BID SCOPE OF WORK**

- 1.1 Removal and disposal of approximately 2,280 SF of existing 4" and 6" concrete sidewalk (5 feet wide)
- 1.2 Installation of approximately 1,875 SF of new 5' wide x 4" thick concrete sidewalk (new sidewalks installation will include the corresponding base preparation.)
- 1.3 Installation of approximately 405 SF of new 5' wide x 6" thick concrete sidewalk (new sidewalks installation will include the corresponding base preparation.)
- 1.4 Maintenance of traffic.

## **ARTICLE 2 - INCLUSIONS**

*ITEMS PROVIDED BY WRANGLER CONSTRUCTION, INC.*

- 2.1 Furnish all labor, equipment and supervision to perform the scope of work outlined above.

## **ARTICLE 3 - EXCLUSIONS**

- 3.1 Required police officers if any (By the City of Miami Springs.)
- 3.2 Permits costs and/or processing fees (By the City of Miami Springs.)
- 3.3 Sodding.
- 3.4 Wrangler Construction is not responsible for any unmarked underground utilities.

12855 SW 136 Avenue, Suite 206  
Miami, Florida 33186

Telephone: 305-278-1719  
Telefax: 305-278-1720

**ARTICLE 4 BASE BID QUOTATION**

*OUR LUMP SUM PROPOSAL FOR THE WORK:*

**FIFTEEN THOUSAND FOUR HUNDRED DOLLARS and NO CENTS**  
**(\$ 15,400.00).**

Please note that this Proposal is based **ONLY** on a site visit. No Drawings and/or Technical Specifications were provided.

All work will be done in accordance with the latest requirement requirements of the Miami Springs Public Work Department, Florida Building Code and the Florida Department of Transportation and of other applicable regulatory agencies having jurisdiction.

**Performance Bond not included** in this price.

We appreciate the opportunity to quote on this project. If we can be of further service, or if you have any questions regarding this Proposal, please do not hesitate to contact us at your earliest convenience. We remain

Cordially yours,

WRANGLER CONSTRUCTION, INC.



Felix R. Clavelo  
PM/Estimator

**WRANGLER**





November 20, 2015

Mr. Rafael Quesada  
Wrangler Construction, Inc.  
12855 SW 136 Avenue, Suite 206  
Miami, Florida 33186

Public Works and Waste Management Department  
Construction Division  
111 NW 1<sup>st</sup> Street, 14<sup>th</sup> Floor  
Miami, FL 33128  
T 305-375-1918 F 305-375-5909

Re: Notice of Proceed for MCC 7360 Plan – RPQ No: 20140183  
Sidewalk Improvements Multiple Sites

CERTIFIED MAIL No: 7012 1010 0003 4172 2089  
FACSIMILE: (305) 278-4720  
TELEPHONE: (305) 278-4719

Dear Mr. Quesada:

This letter will serve as your notification that you are to proceed with the work described in RPQ# 20140183 starting Monday, January 4, 2016 and that all work must be completed on schedule in accordance with the contract documents. The time allotted for the contract is 365 consecutive calendar days which results in a scheduled completion date of Tuesday, January 3, 2017.

### Sidewalk Improvements Multiple Sites

The complete execution of this notice to proceed shall constitute a contract for the work described in the RPQ under the Request for Price Quotation (RPQ) under the MCC 7360 Plan. The terms and conditions applicable to this contract are in the 7360 Contract dated 6/1/2003 which can be found on [www.miamidade.gov/internalservices/miscellaneous-construction-contracts.asp#1](http://www.miamidade.gov/internalservices/miscellaneous-construction-contracts.asp#1), and the totality of the contract documents (including but not limited to the RPQ including any special provisions contained therein, drawings and specifications, addenda, and any contract modifications or change orders etc.).

This letter will also serve as a reminder that all work must be performed in accordance with the Contract Documents and in accordance with all applicable Federal, State and local laws, codes and regulations. In accordance the Contract procedure, the Miami-Dade County Purchase Order Number is PCPW1500195.

Should you have any question regarding this notification, please contact Mercedes Barreras at 305-375-1733

Sincerely,

Mercedes Barreras  
Construction Manager

To Be Completed By the Contracting Firm

I understand and accept the terms and conditions for the RPQ # 20140183 referenced above.

Accepted by: Company Name: Wrangler Construction, Inc.  
Authorized Representative Name: Rafael Quesada  
Authorized Representative Signature: [Signature]  
Dated: 11/20/15

The foregoing was sworn and subscribed before me this 20<sup>th</sup> day of November, 2015 by RAFAEL ARTURO QUESADA, who is personally known to me or who produced FL DL Q230-721-65-329-0 as identification who being duly sworn, deposes and says that the above is true to the best of his knowledge, information and belief.

My Commission expires:

[Signature]  
NOTARY PUBLIC  
STATE OF FLORIDA  
Rafael A. Solorzano  
COMMISSION # FF025164  
EXPIRES: JUN. 06, 2017  
[WWW.AARONNOTARY.com](http://WWW.AARONNOTARY.com)

Note: Whoever is signing above is authorized to bind the corporation and must be an officer of the corporation as verified through the Florida Division of Corporations.

cc: Manuel Garcia, PWMM  
Alvaro Castro, PWMM  
George Coppolecchia, PWMM

Bassam Moubayed, PWMM  
Alfredo Muñoz, PWMM  
Marcia Martin, ISD

Rene Idarraga, P.E., PWMM  
Jean-Bernard Philippeaux, PWMM

Alejandro Martinez-Esteve, PWMM  
Mercedes Barreras, PWMM













# AGENDA MEMORANDUM

**Meeting Date:** 5/23/2016

**To:** The Honorable Mayor Xavier Garcia and Members of the City Council

**Via:** Ron Gorland, City Manager

**From:** Tammy Romero, Professional Services Supervisor

**Subject:** Recommendation to Award Knight Property Management Service, Inc. for tree trimming, removal and disposal services-citywide

**RECOMMENDATION:** Recommendation by Finance that Council award City RFP # 02-15/16 to Knight Property Management Service, Inc., the lowest responsible bidder and authorize the execution of a contract, in the amount of \$48,750.00, for annual Professional tree trimming, removal and disposal service- citywide as funds are to be budgeted in the FY16/17 Budget pursuant to Section §31.11 (E)(1) of the City Code.

**DISCUSSION:** In 2012, Council made the decision to outsource the tree trimming, removal and disposal services-citywide. Our current four year contract with Raydel Landscaping, Corp. is due to expire on September 30th, 2016.

On March 30th, the City advertised Request for Proposal #02-15/16 for Professional Tree Trimming, Removal and Disposal Services Citywide. On April 13th, ten (10) firms attended a Mandatory Pre-Bid conference (Attachment "A") and on April 28th the City received 8 bids (Attachment "B"). Bids were reviewed and evaluated and three (3) bids were deemed Non-responsive (refer to Attachment "C").

Although Orchidman Landscape was the apparent low bidder, after verifying references with the Village of Pinecrest, City of Pembroke Pines and City of Key West responses with regards to their past work history was not very favorable (Attachments "D").

As a result, Knight Property Management Service, Inc. was considered the lowest responsive and responsible bidder. References were verified and returned with positive responses (Attachments "E"). Contract will begin effective October 1st, 2016 if funding is approved in the FY16-17 Budget.

**Submission Date and Time:** 6/3/2016 10:27 AM

<u>Submitted by:</u>	<u>Approved by (sign as applicable):</u>	<u>Funding:</u>
Department: <u>Finance</u>	Dept. Head: <u>[Signature]</u>	Dept./ Desc.: <u>PW/ Other contractual services</u>
Prepared by: <u>Tammy Romero</u>	Procurement: <u>[Signature]</u>	Account No.: <u>001-5404-541-34-00</u>
Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Asst. City Mgr.: <u>[Signature]</u>	Additional Funding: _____
Budgeted/ Funded: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Manager: <u>[Signature]</u>	Amount previously approved: \$ _____
		Current request: \$ <u>40,320.00</u>
		Total vendor amount: \$ <u>40,320.00</u>

## Mandatory Pre-Bid Conference

RFP# 02-15/16

Attachment A

Professional Tree Trimming, removal and Disposal Services - Citywide

April 13th, 2016 at 9:30 AM

Name	Company	Address	Phone	E-Mail
Bladimir Cardenas	Lewis Tree Service		(305) 508-1025	bcardenas@lewis-tree.com
Daniel Roque	Superior Landscaping		(305) 634-0717	dvroque@superiorlandscaping.com
MARIO CANIERO	SFM		786-256-0987	MCANIERO@SFM-SERVICES.COM
Albert Kabadan	Knight Property		(561) 748-3000	KPMS@BellSouth.NET
MARCOS UREA	DISTREBUTORS INC.	820 W 87th Ave Miami FL	3/531-8208	CUSTOMER@riceedistributors.com
Steven M. Gonzalez	OrchidMan Landscape		786 280 9087	steven@orchidmanlandscape.com
Yiska M Urbina	Bella Home Landscape LLC		305 460 2738	b.hf@bellahomelandscaping.com
Xudely Imenez	Raydel Landscaping			b.hf@landscaping@gmail.com
	5600 E 30th St.		305-345-4564	raydellandscaping@gmail.com
Raidel Lechuga	South Florida Tree Management	same	786-879-5278	info@southflorida-treemanagement.com
Sam Suso	Sunrise Security	2319 NW 135 St Miami FL 33184	305 710 2366	
Email: Samsuso@yahoo.com.				

## Bid Opening

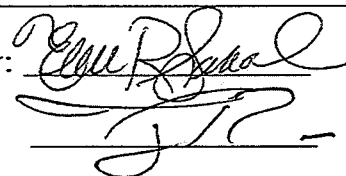
RFP#02-15/16

## Professional Tree Trimming, Removal and Disposal Services - Citywide

Opened April 28, 2016 at 2:30 P.M.

VENDOR NAME	BID BOND Y/N	AMOUNTS
Orchidman Landscape	- Yes	- \$ 40,320.00
SFM Services, Inc. -	Yes	- \$ 97,500.00
South Florida Tree Mngmnt. / Raydel Landscaping Corp. -	Yes	- \$ 52,500.00
Superior Landscaping	- Yes	- NO price sheet.
Sunrise Security Agency & Maintenance, Inc. -	Yes	- \$ 50,985.00
Distreebutors, Inc. -	Yes	- \$ 139,500.00
Bella Fiore Landscaping, LLC -	Yes	- \$ 129,995.00
Knight Properties,	- Yes	- \$ 48,750.00

Witnessed By:



## Attachment C

Bid # 02-15/16		Bid Evaluation											
Title: Tree Trimming Services													
Name of Bidder	Responsive/ Non-Responsive	Amount	Bid Bond	Proof of current Insurance including Worker's Comp.	Business Licenses	Tree trimming Certified	Years of Experience in field	Using subcontractors	Member of Distinguished Organization	Equipment list	Option Years	References	Acknowledge Amendments
Bella Fiore Landscaping, LLC	Non-responsive	\$ 129,995.00	√	Missing W/C	√	No proof	3	unknown	No proof	√	Missing	None	No
Distreebutors, Inc.		\$ 139,500.00	√	Exempt from W/C	√	√	15	No	√	√	√	√	√
		\$ 48,750.00	√	W/C shows for leased employees only-verified w/contractor 1) for this service it will be their own employees and 2) they will provide the proper W/C w/contract	No proof	√	25	No	No proof	√	√	√	√
Knights Property Mgmt. Serv.		\$ 40,320.00	√	√	√	Statement however no proof- proof must be provided before award	8	No	√	No	√	√	√
Orchid Man		\$ 97,500.00	√	√	√	√	10	No	√	√	√	√	√
SFM		\$ 52,500.00	√	√	√	√	20	No	No proof	√	√	√	√
		\$ 50,985.00	√	√	√	No proof - Licensed as a security guard co.	21	No	No proof	√	√	√	√
Sunrise Security Agency & Mnt.	Non-responsive												
Superior Landscaping & Lawn Serv.	Non-responsive	No bid sheet	√	√	√	√	31	No	√	√	√	√	√



**Bid References Evaluation for OrchidMan Landscape Artisans, Corp, Inc.**

Company Name:	City of Pembroke Pines	
Project Name:		
Contact Person/ Title:	Brian Conkiln	
Phone Number:	954-518-9040 via Diane (Engineering & Enviro. Services)	
Project Amount:		
	YES	NO
Did they perform satisfactorily to the work that was asked of them?		X
Was their responsiveness with any demands in a timely manner?		X
Were there any change orders on the project? If so, why?		
Explain:		
What is your overall satisfaction with this company? (i.e.-Satisfactory, un-satisfactory, no comments)	Un-satisfactory	
Comments:		
Absolutely no- They bailed out in the middle of a contract.		

**Bid References Evaluation for OrchidMan Landscape Artisans, Corp, Inc.**

Company Name:	City of Key West	
Project Name:	Navy Pier	
Contact Person/ Title:	Terrence Justice	
Phone Number:	305-809-3943	
Project Amount:		
	YES	NO
Did they perform satisfactorily to the work that was asked of them?		
Was their responsiveness with any demands in a timely manner?		
Were there any change orders on the project? If so, why?		
Explain:		
What is your overall satisfaction with this company? (i.e.-Satisfactory, un-satisfactory, no comments)		
Comments:		
Orchidman was under contract for monthly service to the Navy Pier and Port operations area in Key West.		
They started off well and did an acceptable job each time they performed the service. However, they put us		
In a bad spot a couple of times by not living up to commitments to perform service on requested dates. They		
had a personnel change toward the end of the contract and the reliability of their operation seemed to suffer		
for it.		

**Bid References Evaluation for Knight Property Management Service, Inc.**

Company Name:	FDOT	
Project Name:	Contract #E8P70	
Contact Person/ Title:	Ricardo Gomez	
Phone Number:	305-650-0071	
Project Amount:	\$388,000.00	
	YES	NO
Did they perform satisfactorily to the work that was asked of them?	x	
Was their responsiveness with any demands in a timely manner?	x	
Were there any change orders on the project? If so, why?		x
Explain:		
What is your overall satisfaction with this company? (i.e.-Satisfactory, un-satisfactory, no comments)	Satisfactory	
Comments:		

**Bid References Evaluation for Knight Property Management Service, Inc.**

Company Name:	FDOT	
Project Name:	Contract #DNQ75	
Contact Person/ Title:	Jesus Alvarez	
Phone Number:	305-470-5706	
Project Amount:		
	YES	NO
Did they perform satisfactorily to the work that was asked of them?	XX	
Was their responsiveness with any demands in a timely manner?	XX	
Were there any change orders on the project? If so, why?		XX
Explain:		
What is your overall satisfaction with this company? (i.e.-Satisfactory, un-satisfactory, no comments)	Very satisfactory	
Comments:		
Extremely responsive and diligent.		

# CONTRACTOR FIELD PERFORMANCE REPORT

 375-020-43  
 MAINTENANCE  
 06/14
Contractor: Knight Property Management Services, Inc.Contract: E8M09-R2Evaluation Date: May 28, 2015Type of Evaluation: ☐ Periodic ☒ Final**Category One****Pursuit and Timely Completion of Work**

	Performance
The Contractor performed all work in an effective and expedient manner. The Department's expectations regarding timely pursuit and completion of the work were often exceeded.	Excellent <input checked="" type="radio"/>
Except for a few occasions, the Contractor completed all of the work within authorized timeframes. The Contractor consistently demonstrated sufficient efforts to complete work in a timely fashion. The Department's expectations regarding timely pursuit and completion of the work were usually met and sometimes exceeded.	Satisfactory <input type="radio"/>
The Contractor occasionally completed the work in a timely manner, but efforts were consistently less than adequate. Department involvement was required on more than one occasion to prompt the Contractor to complete the work.	Unsatisfactory <input type="radio"/>
The Contractor failed to complete the work in a timely fashion. On several occasions the Contractor failed to begin work in a timely fashion, and the Contractor made little effort to correct deficiencies. Substantial Department involvement was required to prompt completion of the work, including written correspondence advising the Contractor of potential default. Expectations were not met.	Poor <input type="radio"/>
Notes & Comments	
The contractor did an excellent job in scheduling and completing work in a timely manner. The work was done in a thorough and professional manner that made the system look clean and well maintained.	

**Category Two****Maintenance of Traffic (MOT) & Safety Operations**

	Performance
MOT setups and compliance were proper with no correctable complaints from Department personnel and/or traveling public. No incidents or injuries occurred within work zones due to improper MOT. Qualified MOT personnel were present at all times. Expectations were exceeded, Contractor often went above and beyond FDOT Design Standard requirements to ensure safety for both work crews and traveling public.	Excellent <input type="radio"/>
MOT setups and compliance were mostly proper with few correctable complaints from Department personnel and/or traveling public. No incidents or injuries occurred within work zones due to improper MOT. Qualified MOT personnel were present. Expectations were met and exceeded occasionally.	Satisfactory <input checked="" type="radio"/>
MOT setups and compliance were at times achieved, but there were several complaints and/or incidents of non-compliance. No major incidents or injuries occurred within work zones due to improper MOT. Qualified MOT personnel were usually present. Some involvement from Department personnel was required on a few occasions. Expectations were not consistently met.	Unsatisfactory <input type="radio"/>
Proper MOT deployment and overall compliance was lacking. Numerous correctable complaints from Department personnel and/or traveling public were noted. An incident with injuries may have occurred within the work zone due to improper MOT. Qualified MOT personnel were seldom on site or in close proximity to the work site. Expectations were not met.	Poor <input type="radio"/>
N/A (To be used when MOT was not necessary or included in the contract).	N/A <input type="radio"/>
Notes & Comments	
The contractor's MOT was satisfactory for this project providing the proper safety vests for their workers, strobe lights on all vehicles and the proper safety triangles for the large mowers.	

Contractor: Knight Property Management Services, Inc.

Contract: E8M09-R2

Evaluation Date: May 28, 2015

### **Category Three**

#### **Timely and Complete Submittal of Documents and Reports**

	Performance
Written correspondence and documentation were error free and critical dates were met.	Excellent <input checked="" type="radio"/>
Contractor adequately followed the contract from a written correspondence perspective. Quality in relation to written correspondence was good with few errors.	Satisfactory <input type="radio"/>
Department personnel encountered issues with the overall quality of the written correspondence or overall timeliness of contract document submittal.	Unsatisfactory <input type="radio"/>
Overall quality control from a correspondence/paperwork aspect was not met. Excessive prompting from Department personnel for required documentation was required and the correction of substandard/low quality work was necessary. Contractor failed to submit required documents such as Form 21-A within allowable time.	Poor <input type="radio"/>
Notes & Comments	
The contractor did an excellent job in providing the proper documents and paper work while managing this contract. All invoices were submitted in a monthly cycle, which made it easier to properly manage the contract.	

### **Category Four**

#### **Overall Quality Control, Environmental Compliance, and Compliance with Contract Requirements**

	Performance
Contractor followed all of the requirements/conditions of the contract with superior quality in accordance with FDOT Standards and Specifications (including environmental issues if applicable). Contractor was self-sufficient requiring no help from the Department.	Excellent <input type="radio"/>
Contractor consistently performed quality work operations according to the contract with few errors.	Satisfactory <input checked="" type="radio"/>
Overall quality control in the field was not consistently met. Department personnel were often required to prompt the Contractor for correction of substandard or low quality work.	Unsatisfactory <input type="radio"/>
The Department identified notable errors and failures to meet contract requirements. Overall quality control was only met on occasion.	Poor <input type="radio"/>
Notes & Comments	
The satisfactory work performed by the contractor in following all aspects of the Standards and Specification of the contract made for a efficient work team in providing the Department with good quality work.	

Contractor: Knight Property Management Services, Inc.Contract: E8M09-R2Evaluation Date: May 28, 2015**Category Five****Interaction, coordination, and cooperation with Department personnel, traveling public, other contractors, property owners and other Governmental agencies**

	Performance
Interaction with Department personnel was outstanding; no complaints from the traveling public or adjacent property owners were noted. The Contractor handled any issues that arose, notifying the Department of the outcome. Positive feedback from the public was noted. Expectations were often exceeded.	Excellent <input type="radio"/>
Few, if any, complaints from the traveling public or adjacent property owners were noted. When a concern was expressed, the Contractor was quick to resolve it. Positive interaction with Department personnel with some positive feedback from the public was noted. Expectations were always met and occasionally exceeded.	Satisfactory <input checked="" type="radio"/>
Some complaints from outside parties and Department personnel were noted (mostly minor in nature). Most complaints were handled in a timely manner. Expectations were not consistently met.	Unsatisfactory <input type="radio"/>
Numerous complaints were received about work operations, staging of equipment, and/or poor attitude. The Contractor repeatedly failed to follow instructions; communication and cooperation was inadequate.	Poor <input type="radio"/>
Notes & Comments	
The cooperation that the Department received from the contractor was excellent. The contractor would always address any issues that Department received as complaints, particularly litter complaints. The contractor always responded to any last minutes work needs and did an excellent job in following up to update the Department.	

**Category Six****Disadvantaged Business Enterprise (DBE) Reporting**

	Performance
Contractor's staff was very well qualified and capable to address sufficient utilization of the Equal Opportunity Compliance (EOC) System application to collect, review, and report any DBE commitments/payments. Periodic checks of the EOC System by Department personnel revealed no issues and no follow up with the Contractor in regard to DBE issues was required.	Excellent <input type="radio"/>
Contractor's staff sufficiently utilized the Equal Opportunity Compliance (EOC) System to adequately collect, review and report DBE commitments/payments. Periodic checks of the EOC System by Department personnel revealed very few issues and minimal follow up with the Contractor in regard to DBE issues was required.	Satisfactory <input type="radio"/>
Contractor demonstrated little interest in utilizing the EOC system to collect, review, and report any DBE commitments/payments. Requests for the Contractor to utilize the system were repeatedly made by Department personnel and follow up with the Contractor was often required.	Unsatisfactory <input type="radio"/>
Contractor failed to adequately report DBE commitments/payments. Requests for the Contractor to correct errors within the system were repeatedly made by the Department; excessive/recurring assistance to the Contractor was necessary.	Poor <input type="radio"/>
N/A (To be used when the Contractor is exempt from DBE reporting requirements.)	N/A <input checked="" type="radio"/>
Notes & Comments	
N/A - Contract was prior to this requirement.	

Overall Score 91

Contractor: Knight Property Management Services, Inc.  
Contract: E8M09-R2  
Evaluation Date: May 28, 2015

### Summary

The overall performance of Knight Properties Management, Inc. was satisfactory for this last year contract. The contractor performed their work in an efficient manner, which allowed the funds on this contract to be used properly. The contractor's cooperation and fast response to the Departments needs was excellent and made it extra helpful when handling patron litter complaints.

Pursuit and Timely Completion of Work	<u>Excellent</u>
Maintenance of Traffic (MOT) & Safety Operations	<u>Satisfactory</u>
Timely and Complete Submittal of Documents and Reports	<u>Excellent</u>
Overall Quality Control, Environmental Compliance, and Compliance with Contract Requirements	<u>Satisfactory</u>
Interaction, coordination, and cooperation with Department personnel, traveling public, other contractors, property owners and Government agencies	<u>Satisfactory</u>
Disadvantaged Business Enterprise (DBE) Reporting	<u>N/A</u>

Submitted By: [Signature] 5/28/15  
Project Manager Date

Reviewed By: [Signature] 6/3/15  
Cost Center Manager Date

Reviewed By: [Signature] 6/4/15  
District Maintenance Engineer Date

CONTRACTOR \_\_\_\_\_ Date \_\_\_\_\_  
(Signature does not indicate concurrence)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

## CONTRACTOR FIELD PERFORMANCE REPORT

COPIES:  
Contractor  
Project File  
District Maintenance Engineer - Original  
Cost Center Manager

# FINAL

Date: 6/25/15 Sign: CNC



**Bid References Evaluation for Knight Property Management Service, Inc.**

Company Name:	FDOT	
Project Name:	Contract #E8N87	
Contact Person/ Title:	Stanley Boigris	
Phone Number:	954-975-4855 X 1218	
Project Amount:		
	YES	NO
Did they perform satisfactorily to the work that was asked of them?	X	
Was their responsiveness with any demands in a timely manner?	X	
Were there any change orders on the project? If so, why?		X
Explain:		
What is your overall satisfaction with this company? (i.e.-Satisfactory, un-satisfactory, no comments)	Satisfactory	
Comments:		



# AGENDA MEMORANDUM

**Meeting Date:** 6/13/2016

**To:** The Honorable Mayor Xavier Garcia and Members of the City Council

**Via:** Ron Gorland, City Manager

**From:** Paul O'Dell, Golf and Country Club Director

**Subject:** Recommendation to Award George Fulmer Construction Co. Inc. to renovate restrooms on the Golf Course

**RECOMMENDATION:** Recommendation by Golf that Council award a contract to George Fulmer Construction Co., Inc., the lowest quote obtained, in the amount of \$17,220.00, for renovations and repairs to both of the existing East (Front nine) and West (Back nine) Golf Course restrooms as these funds were approved in the General Fund Balance Designations #4 for projected FY15/16 Budget pursuant to Section §31.11 (E)(5) of the City Code.

**DISCUSSION:** Each company was given the opportunity to provide 2 separate quotes as follows:  
Quote 1)- Repairs and renovations to interior/exterior restrooms to include replace exterior doors with commercial grade steel doors, repair (stucco/patch) and paint all interior and exterior walls and ceilings, repair/replace broken tiles, install new restroom partitions and pour new landing slabs.  
Quote 2)- Roof repairs to include re-roof of West restroom with built-up system (hot mopped) and re-coat (seal) East Restroom.

It is our recommendation to award the restroom renovation work to George Fulmer Construction Co. who was considered the lowest responsible quote.

**Submission Date and Time:** 6/8/2016 11:24 AM

<b>Submitted by:</b>	<b>Approved by (sign as applicable):</b>	<b>Funding:</b>
Department: <u>Finance</u>	Dept. Head: <u>Paul O'Dell</u>	Dept./ Desc.: <u>Designated Fund Balance</u>
Prepared by: <u>Tammy Romero</u>	Procurement: <u>[Signature]</u>	Account No.: _____
Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Asst. City Mgr.: <u>[Signature]</u>	Additional Funding: _____
Budgeted/ Funded: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Manager: <u>[Signature]</u>	Amount previously approved: \$ _____
		Current request: \$ <u>17,220.00</u>
		Total vendor amount: \$ <u>17,220.00</u>

	<b>Kimmons Construction</b>	<b>George Fulmer Construction</b>	<b>Bejar Construction</b>	<b>A-1 Property</b>	<b>Z Roofing</b>
Doors/Stucco/Paint	\$ 25,100.00	\$ 17,220.00	\$ 41,853.00	N/A	N/A
Roof (West)	\$ 7,300.00	\$ 6,900.00	included above	N/A	N/A
Roof (East)	\$ 1,170.00	\$ 4,170.00	included above	N/A	N/A
Roofs (combined)	N/A	N/A	N/A	\$ 12,581.00	\$ 10,574.00
	\$ 33,570.00	\$ 28,290.00	\$ 41,853.00	\$ 12,581.00	\$ 10,574.00

George Fulmer Construction Company, Inc.  
424 De Leon Drive  
Miami Springs, FL 33166  
305.807.4027  
CGC# 037346  
fulmerg424@gmail.com

Date: 06/02/16  
Proposal for: City of Miami Springs  
Location: 650 Curtiss Parkway  
Miami Springs, FL 33166

Per revised prints received June 2, 2016:

Upon reviewing the site and scope of work, my proposal for repairs to on course bathrooms is as follows:

SCOPE ITEM 1:

4 steel doors w/welded jambs and cipher locks  
\$3,750.00

SCOPE ITEM 2:

Stucco repair on front nine bathrooms

1. Chip loose stucco
2. Pressure wash
3. New stucco installed

Labor and materials \$4,550.00

SCOPE ITEM 3 & 4:

Patch and paint for front and back

Labor and materials \$3,250.00

SCOPE ITEM 3:

Repair/replace tile as needed for front and back

Labor and materials \$2,800.00

Sub total \$14,350.00  
20% overhead/profit 2,870.00  
\$17,220.00



General Exclusions:

- Site work
- Unit Alarm System
- Fire Alarm Monitoring Fees

George Fulmer Construction Company, Inc.  
424 De Leon Drive  
Miami Springs, FL 33166  
305.807.4027  
CGC# 037346  
fulmerg424@gmail.com

- Low Voltage Wiring – Security System
- Overtime fees
- Water & Sewer Conveyance fees or bonds
- Water & Sewer Impact Fees
- FPL Underground Differential Fees
- Master Permits
- Special Inspector Fees
- Testing and Concrete/Materials Testing

Please sign and return this agreement upon acceptance.

\_\_\_\_\_  
Owner/Agent

\_\_\_\_\_  
Date

**CITY OF MIAMI SPRINGS  
PROPOSED GENERAL FUND BALANCE DESIGNATIONS  
PROJECTED FISCAL YEAR 2015-2016**

<b>DESIGNATION</b>	<b>Actual Balance 9/30/2015</b>	<b>FY2015-16 Additions Reductions</b>		<b>Projected Balance 9/30/2016</b>
1) Additional Contingency-Hurricane Costs (over and above the 25% reserve requirement)	500,000			500,000
2) Council Studio for televising meetings	10,000		(4,146)	5,854
3) Racquetball court maintenance	10,000		-	10,000
4) Renovation of two restrooms on golf course	35,000		-600	34,400
5) Tot Lot playground	90,000	41,000	-131000	-
6) Mold cleaning/treatment Community Center	47,156	(18,437)	-28719	-
7) Golf Phase I Derm/RER paving/Roll down doors fertilizer storage	45,000		-7312	37,688
8) Golf storage cabinets at Pro Shop	3,500			3,500
9) Golf new phone system	4,500			4,500
10) Golf-new pick up truck	22,500			22,500
11) New Senior Center Building	25,000			25,000
12) Stripping/cleaning Senior Center floors	1,800			1,800
13) Police-Point Blank active shooter kits	17,700		-14085	3,615
14) Police Paraclete MICH ballistic helmet	15,400		-14625	775
15) Police-AVON C50 first responder gas mask	17,505		-17266	239
15) Six laptops	-	14,326	-14326	-
15) Remodeling of squad room		2,940	-2940	-
16) Police Automatic license plate reader	20,980		-20980	-
17) Tennis Facility at Golf Course	25,000	(22,563)		2,437
	-			-
	-	-	-	-
<b>Total proposed designations</b>	<b>\$ 891,041</b>	<b>\$ 17,266</b>	<b>\$(255,999)</b>	<b>\$ 652,308</b>
<b>Total Available Fund Balance</b>	<b>4,391,041</b>	<b>17,266</b>	<b>(255,999)</b>	<b>4,152,308</b>
<b>Unrestricted, Undesignated fund Balance</b>	<b>3,500,000</b>			<b>3,500,000</b>
<b>25% of FY15-16 Operating expenditures.....</b>				<b>\$ 3,500,000</b>
<b>Excess(deficit) funds available for designation</b>				<b>\$ 0</b>



# AGENDA MEMORANDUM

**Meeting Date:** 6/13/2016

**To:** The Honorable Mayor Xavier Garcia and Members of the City Council

**Via:** Ron Gorland, City Manager

**From:** Paul O'Dell, Golf and Country Club Director

**Subject:** Recommendation to Award Kimmons Construction to repair the restrooms roofs on the Golf Course

**RECOMMENDATION:** Recommendation by Golf that Council award a contract to Kimmons Construction, the lowest quote obtained, in the amount of \$8,470.00, for roof repairs to both of the existing East (Front nine) and West (Back nine) Golf Course restrooms as these funds were approved in the General Fund Balance Designations #4 for projected FY15/16 Budget pursuant to Section §31.11 (E)(5) of the City Code.

**DISCUSSION:** Each company was given the opportunity to provide 2 separate quotes as follows:  
Quote 1)- Repairs and renovations to interior/exterior restrooms to include replace exterior doors with commercial grade steel doors, repair (stucco/patch) and paint all interior and exterior walls and ceilings, repair/replace broken tiles, install new restroom partitions and pour new landing slabs.  
Quote 2)- Roof repairs to include re-roof of West restroom with built-up system (hot mopped) and re-coat (seal) East Restroom.

It is our recommendation to award the work to Kimmons Construction who was considered the lowest responsible quote.

**Submission Date and Time:** 6/8/2016 11:22 AM

<b><u>Submitted by:</u></b>	<b><u>Approved by (Sign as applicable):</u></b>	<b><u>Funding:</u></b>
Department: <u>Finance</u>	Dept. Head: <u><i>Paul O'Dell</i></u>	Dept./ Desc.: <u>Designated Fund Balance</u>
Prepared by: <u>Tammy Romero</u>	Procurement: <u><i>[Signature]</i></u>	Account No.: _____
Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Asst. City Mgr.: <u><i>[Signature]</i></u>	Additional Funding: _____
Budgeted/ Funded: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Manager: <u><i>[Signature]</i></u>	Amount previously approved: \$ _____
		Current request: \$ <u>8,470.00</u>
		Total vendor amount: \$ <u>8,470.00</u>

	<b>Kimmons Construction</b>	<b>George Fulmer Construction</b>	<b>Bejar Construction</b>	<b>A-1 Property</b>	<b>Z Roofing</b>
Doors/Stucco/Paint	\$ 25,100.00	\$ 17,220.00	\$ 41,853.00	N/A	N/A
Roof (West)	\$ 7,300.00	\$ 6,900.00	included above	N/A	N/A
Roof (East)	\$ 1,170.00	\$ 4,170.00	included above	N/A	N/A
Roofs (combined)	N/A	N/A	N/A	\$ 12,581.00	\$ 10,574.00
	<b>\$ 33,570.00</b>	<b>\$ 28,290.00</b>	<b>\$ 41,853.00</b>	<b>\$ 12,581.00</b>	<b>\$ 10,574.00</b>



Phone 305-888-0281

Fax 305-888-6640

**KIMMONS BUILDERS INC.****General Contractors, Lic. No. CB CO33126****7551 N. W. 72 Avenue****Miami, Florida 33166**

To: City of Miami Springs

Attn: Ms. Tammy Romero, Professional Services Supervisor

Phone: 305-805-5035 Fax: 305-805-5018 Email: romerot@miamisprings-fl.gov

Number of Pages / Including Cover Sheet: 2

From: Tim Kimmons

Date: June 1, 2016

**Re: RFQ TO PERFORM SPECIFIC REPAIRS, REPLACE ROOF AND PAINT  
WALLS OF THE DETACHED STRUCTURE KNOWN AS THE WEST  
GOLF COURSE BATHROOMS**

Kimmons Builders Inc. hereby agrees to perform work at the Miami Springs Golf and Country Club (650 Curtiss Parkway) in accordance with the RFQ (as amended via email on 5/23/16) received for this project (Sheets A-1, A-2 & A-3 by Ramms Engineering dated 1-28-16) to include the following:

Clean and paint interior and exterior of bathrooms, replace two hollow metal doors and these door jams, replace roof seal and rotted fascia, soffit and roof sheathing per "Scope of Work" on Sheet A-1.

Also includes the following:

- Doors- commercial grade steel doors and frames (approved by MD County or State of Florida) with lever type handles/ keyed/self closing
- Tiles- provide allowance for replacing damaged/broke tiles (includes 4 sq. ft per bathroom)
- Painting- paint all ceilings and walls
- Partitions- restroom stall partitions should be similar to the ones in City Hall

Pricing Breakout as follows:

Cost of West Roof- Built up system (Hot mopped) \$ 7,300.00 ←  
Cost for balance of this work \$13,680.00

**Cost of this work is \$20,980.00**

(Twenty Thousand Nine Hundred Eighty Dollars)

**Payment schedule as follows:**

1. \$ 7,300.00 Due when roof seal and bad roof woodwork are replaced;
2. 13,680.00 due upon completion of work.

This proposal is contingent upon the acceptance of the specifications contained herein by those in authority without material change. All agreements are contingent upon strikes, accidents and delays beyond our control.

INITIAL: \_\_\_\_\_  
Owner\_\_\_\_\_  
Owner's Agent  
\_\_\_\_\_  
Contractor

**WEST GOLF COURSE BATHROOMS**

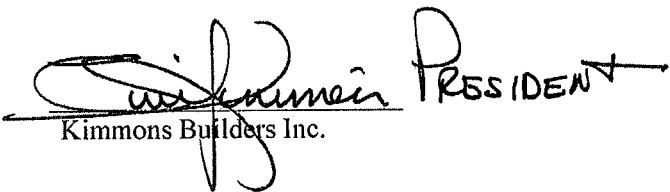
June 1, 2016

Liability for costs of collection: To the extent permitted by the State of Florida, owner agrees to pay contractor the reasonable costs and expenses of collection including attorney's fees for any balance and any unpaid deficiency that is owed on contract. Interest shall accrue on outstanding balances after 30 days at the rate of 1-1/2% per month.

We may alter or withdraw this proposal if not accepted within (15) days. This proposal is accepted as written and Kimmons Builders, Inc. is hereby authorized to proceed with this work with payment due as specified.

ACCEPTED BY:

\_\_\_\_\_  
Owner

  
\_\_\_\_\_  
Kimmons Builders Inc.

\_\_\_\_\_  
Owner's Agent

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Phone 305-888-0281

Fax 305-888-6640

**KIMMONS BUILDERS INC.****General Contractors, Lic. No. CB CO33126****7551 N. W. 72 Avenue****Miami, Florida 33166**

To: Miami Springs Public Works  
Attn: Ms. Tammy Romero, Professional Services Supervisor  
Phone: 305-805-5035 Fax: 305-805-5018 Email: romerot@miamisprings-fl.gov

Number of Pages / Including Cover Sheet: 2

From: Tim Kimmons

Date: June 1, 2016

Re: **RFQ TO PERFORM SPECIFIC REPAIRS, PAINT THE DETACHED  
STRUCTURE KNOWN AS THE EAST GOLF COURSE BATHROOMS**

Kimmons Builders Inc. hereby agrees to perform work at the Miami Springs Golf and Country Club (650 Curtiss Parkway) in accordance with the RFQ (as amended via email on 5/23/16) received for this project (Sheets A-1, A-2 & A-3 by Ramms Engineering dated 1-28-16) to include the following:

Clean and paint interior and exterior of bathrooms, replace two hollow metal doors and these door jambs per "Scope of Work" on Sheet A-1.

Also includes the following:

- Clean top of concrete roof and apply elastomeric Hydro Stop Finish Coat
- Doors- commercial grade steel doors and frames (approved by MD County or State of Florida) with lever type handles/ keyed/self closing
- Tiles- provide allowance for replacing damaged/broke tiles (includes 4 sq. ft per bathroom)
- 2 new concrete entry door slabs – minimum 4" concrete reinforced w/ 6x6x10/10 wwm
- Paintings- paint all ceilings and walls
- Partitions- restroom stall partitions should be similar to the ones in City Hall

Pricing Breakout as follows:

Cost of Elastomeric Roof Coating \$ 1,170.00 ←

Cost for balance of this work \$11,420.00

**Cost of this work is \$12,590.00**

(Twelve Thousand Five Hundred Ninety Dollars)

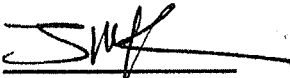
**Payment schedule as follows:**

1. **\$12,590.00 due upon completion of work.**

This proposal is contingent upon the acceptance of the specifications contained herein by those in authority without material change. All agreements are contingent upon strikes, accidents and delays beyond our control.

INITIAL: \_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner's Agent

  
\_\_\_\_\_  
Contractor

**EAST GOLF COURSE BATHROOMS**

June 1, 2016

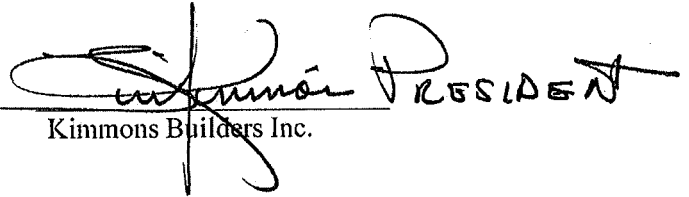
Liability for costs of collection: To the extent permitted by the State of Florida, owner agrees to pay contractor the reasonable costs and expenses of collection including attorney's fees for any balance and any unpaid deficiency that is owed on contract. Interest shall accrue on outstanding balances after 30 days at the rate of 1-1/2% per month.

We may alter or withdraw this proposal if not accepted within (15) days. This proposal is accepted as written and Kimmons Builders, Inc. is hereby authorized to proceed with this work with payment due as specified.

ACCEPTED BY:

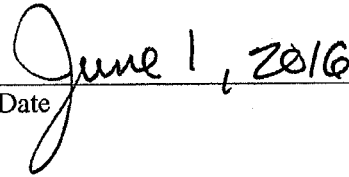
Owner

Kimmons Builders Inc.

 PRESIDENT

Owner's Agent

Date

 June 1, 2016

Date

**CITY OF MIAMI SPRINGS  
PROPOSED GENERAL FUND BALANCE DESIGNATIONS  
PROJECTED FISCAL YEAR 2015-2016**

<b>DESIGNATION</b>	<b>Actual Balance 9/30/2015</b>	<b>FY2015-16 Additions Reductions</b>		<b>Projected Balance 9/30/2016</b>
1) Additional Contingency-Hurricane Costs (over and above the 25% reserve requirement)	500,000			500,000
2) Council Studio for televising meetings	10,000		(4,146)	5,854
3) Racquetball court maintenance	10,000		-	10,000
4) Renovation of two restrooms on golf course	35,000		-600	34,400
5) Tot Lot playground	90,000	41,000	-131000	-
6) Mold cleaning/treatment Community Center	47,156	(18,437)	-28719	-
7) Golf Phase I Derm/RER paving/Roll down doors fertilizer storage	45,000		-7312	37,688
8) Golf storage cabinets at Pro Shop	3,500			3,500
9) Golf new phone system	4,500			4,500
10) Golf-new pick up truck	22,500			22,500
11) New Senior Center Building	25,000			25,000
12) Stripping/cleaning Senior Center floors	1,800			1,800
13) Police-Point Blank active shooter kits	17,700		-14085	3,615
14) Police Paraclete MICH ballistic helmet	15,400		-14625	775
15) Police-AVON C50 first responder gas mask	17,505		-17266	239
15) Six laptops	-	14,326	-14326	-
15) Remodeling of squad room		2,940	-2940	-
16) Police Automatic license plate reader	20,980		-20980	-
17) Tennis Facility at Golf Course	25,000	(22,563)		2,437
	-			-
	-	-	-	-
<b>Total proposed designations</b>	<b>\$ 891,041</b>	<b>\$ 17,266</b>	<b>\$ (255,999)</b>	<b>\$ 652,308</b>
<b>Total Available Fund Balance</b>	<b>4,391,041</b>	<b>17,266</b>	<b>(255,999)</b>	<b>4,152,308</b>
<b>Unrestricted, Undesignated fund Balance</b>	<b>3,500,000</b>			<b>3,500,000</b>
<b>25% of FY15-16 Operating expenditures.....</b>				<b>\$ 3,500,000</b>
<b>Excess(deficit) funds available for designation</b>				<b>\$ 0</b>



# AGENDA MEMORANDUM

**Meeting Date:** 6/13/2016

**To:** The Honorable Mayor Xavier Garcia and Members of the City Council

**Via:** Ron Gorland, City Manager *Ron*

**From:** Councilman Petralanda

**Subject:** Allow Pre-recorded open-forum and agenda item comments

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Recommendation by Councilman Petralanda and former Councilman Lob to allow pre-recorded open-forum and agenda item comments.

In order to provide as many avenues as possible for a citizen to connect with the City Council I am proposing that they be able to send a pre-recorded video for open forum or on an agenda item, that is no more than 3 minutes long, to be played at the appropriate time during a meeting. This has been done at other municipalities, Miami Lakes being the one I spoke to. They have been doing it for the past 2 years. Although they have only had 2 videos submitted in that time, they feel that it is worth providing since it does offer another way of communication during council meetings from their citizens.

#### Public Comments Via Pre Recorded Video:

- Registration form and Video must be filled out and submitted online no later than the day before Friday before the meeting. This can be discussed and modified as needed.
  - Upload during the registration process;
  - Email to the City Clerk
  - Cloud Service Share such as Dropbox
  - YouTube
- Submit video via:
- Video must not exceed 3 minutes
- Format must be (IT would need to fill this in based on our capabilities).
- All decorum that is used in Council Chambers apply to video.

Any videos that do not meet the above criteria will not be shown. The City Clerk's Office will review the video and, if criteria is not met, will notify.

**From:** [goalie1436@gmail.com](mailto:goalie1436@gmail.com)  
**To:** [Erika Gonzalez-Santamaria](#)  
**Subject:** Eagle way  
**Date:** Tuesday, May 24, 2016 12:57:25 PM

---

Good afternoon Ms. Gonzalez,

I wrote to you a few weeks ago concerning our school's desire to have East Drive renamed Eagle Way in honor of our school's mascot, the American Eagle. I am the chair-person of the student committee that is heading this activity through our Civics class. In your e-mail responding to our initial request from the Miami Springs City Council was that since East Drive was a county road, the county commission would have to get involved.

We contacted the office of County Commissioner Rebeca Sosa. Natasha Santos, Constituents Services Liaison in Commissioner Sosa's office, contacted my Civics teacher, Mr. Quintana and told him that they were willing to take our request on, but that since East Drive runs through the municipality of Miami Springs, the initial sponsorship would have to come from your office.

We understand that it is late in the school year and that lack of time forbids this from happening now. However, I would like to know if you have been contacted by Commissioner Sosa's office or if anything has been done to move this process along. Please let me know if there is anything I need to do to ensure that the process continues.

Respectfully,

Roberto "Tony" Ortiz  
Miami Springs Middle School

Sent from my iPhone



# AGENDA MEMORANDUM

**Meeting Date:** 6/13/2016

**To:** The Honorable Mayor Xavier Garcia and Members of the City Council

**From :** Vice Mayor Roslyn Buckner *Roslyn Buckner*

**Subject:** Discussion on Changing the Council Meeting to Tuesday

I am requesting that the Council consider moving the date of the meeting from the second and fourth Monday of the month to the second and fourth Tuesday of the month. The reason for this proposal is to accommodate the Council for more time to review the agenda and having an extra day for Council questions to be answered by staff.

**Submission Date and Time:** 6/9/2016 9:11 AM

<u>Submitted by:</u>	<u>Approved by (sign as applicable):</u>	<u>Funding:</u>
Department: <u>Council</u>	Dept. Head: <i>Erika Gonzalez-Santamaria</i>	Dept./ Desc.: <u>N/A</u>
Prepared by: <u>Erika Gonzalez-Santamaria</u>	Procurement: _____	Account No.: <u>N/A</u>
Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	Asst. City Mgr.: <i>[Signature]</i>	Additional Funding: <u>N/A</u>
Budgeted/Funded <input type="checkbox"/> Yes <input type="checkbox"/> No	City Manager: <i>[Signature]</i>	Amount previously approved: \$ <u>N/A</u>
		Current request: \$ <u>N/A</u>
		Total vendor amount: \$ <u>N/A</u>



# CITY OF MIAMI SPRINGS



City Manager's Office  
201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5010  
Fax: (305) 805-5040

## SPECIAL EVENTS PERMIT APPLICATION (FILM)

The City of Miami Springs requires commercial photographers to obtain the following permit from the City Manager's Office to conduct commercial photography/filming in/on a city facility or other public property.

1. **APPLICANT:** Lily H. H. H.  
Name of Organization: TELEWINDO  
Address: 9355 NW 41 STREET MIAMI FL 33166  
Phone: 305 794 3758 Fax: \_\_\_\_\_
2. **EVENT:** Filming the Show "LA PAN"  
Purpose: Filming inside and outside property.  
Profit: \_\_\_\_\_ Non-Profit: \_\_\_\_\_  
Date: From 6/20/16 To 12/20/16 - filming one a week.  
Time Start: 7 AM End: 10 PM  
Estimated # of participants: \_\_\_\_\_ Estimated # of spectators: \_\_\_\_\_  
Location of event: Johnny's Dinner 45 GURTISS PARKWAY
3. **INSURANCE:** Attach Certificate of Insurance naming City of Miami Springs as an additional insured; Limits \$1 Million each person; \$2 Million each occurrence for bodily injury liability; \$100,000 each occurrence on property damage liability.
4. **USAGE FEE:** There is a Usage-Fee of \$500 for use of a city facility or other public property for commercial still photography/filming within city limits. All commercial photographers must have the permit at the photographic site at all times.
5. **FACILITY CLEAN-UP/DAMAGE REPAIR:** There is a deposit required of \$500 to cover cost of applicant litter clean-up and facility repair. Applicant agrees to reimburse the City if its clean-up/damage repair costs exceed the \$500 deposit. If no clean-up/damage repair is required, the deposit will be returned.  
**NOTE:** Applicant is responsible for providing adequate "recycling" containers to dispose of recyclable material.
6. **SPECIAL SERVICE:** Police: Traffic control and/or crowd control will be determined by the Miami Springs Police Department. Any police personnel costs incurred in addition to normal operating expenses will be provided by off-duty police officers and must be arranged with the Chief of Police or his designee.
7. **CODE COMPLIANCE:** Any placement of placards, banners, signs etc., must be cleared with the Code Compliance Officer in compliance with the City Code.
8. **NOISE AND MUSIC PERMITS:** Permits may be issued upon the completion of the application, investigation, and decision making processes set forth in Code of Ordinance sections 99-20 through 99-25.

Applicant hereby affirms that none of the activities involved in this request involve any nudity or acts which could be construed as lewd, offensive to the senses, or offensive to the decency of an individual of the City.

Applicant: Luigi Antonio Locatelli [Signature] 5/31/14  
(Print Name/Title) (Signature) (Date)

1. Risk Manager: \_\_\_\_\_ Date \_\_\_\_\_
2. Chief of Police: \_\_\_\_\_ Date \_\_\_\_\_
3. Code Compliance: \_\_\_\_\_ Date \_\_\_\_\_
4. City Manager: \_\_\_\_\_ Date \_\_\_\_\_

Enclosure:	Certificate of Insurance	Yes <u>/</u>	No _____	Waived _____
	Route Map	Yes _____	No _____	Waived _____
	Clean-up Deposit	Yes _____	No _____	Waived _____
	Usage Fee	Yes _____	No _____	Waived _____
	Special Condition	Yes _____	No _____	Waived _____
	Facility Agreement	Yes _____	No _____	Waived _____

REFERENCES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FOLLOW-UP NOTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please initial: TH



Victorian Red  
Rojo Victoriano  
Specify #98RR 12/480  
Order #A0271

Drum Beat  
Orquídea Rubí  
Specify #00YR 08/409  
Order #A0279

## Glidden







# AGENDA MEMORANDUM

**Meeting Date:** 6/13/2016

**To:** The Honorable Mayor Xavier Garcia and Members of the City Council

**VIA:** Erika Gonzalez-Santamaria, MMC, City Clerk

**From :** Elora R. Sakal, CMC, Deputy City Clerk

**Subject:** Board of Parks and Parkways Recommendation

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At their last meeting on June 1, 2016, the Board of Parks and Parkways recommended the following to Council:

1. Old Business:

- a) Discussion on coral rock wall renovations

**Board member Johnston made a recommendation to Council to consider that funds be budgeted for Public Works to renovate the coral rock walls in the median along Morningside Drive from Navarre Street to Minola Drive. Board member Fisher seconded the motion which carried unanimously on voice vote.**

4. New Business:

- a) Yard of the Month nomination - August, 2016

**By consensus, the Board agreed to recommend 388 Payne Drive as the August, 2016 yard of the month.**

- b) Yard of the Month nomination - September, 2016

**By consensus, the Board agreed to recommend 156 Carlisle Drive as the September, 2016 yard of the month.**

**Submission Date and Time: 6/9/2016 11:58 AM**